

LAST MINUTE AGENDA INFORMATION II

05/20/09 Regular Meeting

(Agenda Related Writings/Documents provided to a majority of the City Council after distribution of the Agenda Packet for the May 20, 2009 Regular meeting.)

<u>ITEM NO.</u>	<u>DESCRIPTION</u>
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5.1	<p>KAMAL NONA (OWNER)/STOSH THOMAS (ARCHITECT); CONDITIONAL USE PERMIT (CUP 060398), DESIGN REVIEW (DRC 060399), SITE PLAN REVIEW (SPR 060400) FOR TWO MIXED USE DEVELOPMENTS WITH TWO RETAIL COMMERCIAL SPACES AND TWO RESIDENTIAL UNITS FOR EACH DEVELOPMENT (FOUR COMMERCIAL AND FOUR RESIDENTIAL UNITS TOTAL) LOCATED AT 1120, 1122 13TH STREET AND 1150, 1152 13TH STREET, IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE. MF 863. (0600-20)</p> <p>a. March 2, 2005 staff report for Item No. 6.1: FERAS "RUSTY" BARGHOUT (APPLICANT/PROPERTY OWNER)/NICK ALJABI (ARCHITECT); CONDITIONAL USE PERMIT (CUP 03-03), DESIGN REVIEW (DRC 03-10), SITE PLAN REVIEW (SPR 03-09) FOR A MIXED DEVELOPMENT WITH THREE RETAIL COMMERCIAL SPACES AND FOUR RESIDENTIAL UNITS LOCATED AT 1146 13TH STREET, IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE. MF 641. (0600-20)</p> <p>b. PowerPoint presentation from March 2, 2005</p> <p>c. Copy of signed Resolution No. 2005-6114</p> <p>d. March 2, 2005 City Council meeting minutes for Item No. 6.1</p>
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0600-20

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AGENDA ITEM NO. 6.1
RECEIVED

2009 MAY 19 A 9:11

**STAFF REPORT
CITY OF IMPERIAL BEACH**

CITY MANAGER/PERSONNEL
CITY CLERK OFFICES

TO: HONORABLE MAYOR AND CITY COUNCIL
GARY BROWN, CITY MANAGER

FROM: GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR
JIM NAKAGAWA, AICP, CITY PLANNER
ALIA KANANI, ASSISTANT PLANNER

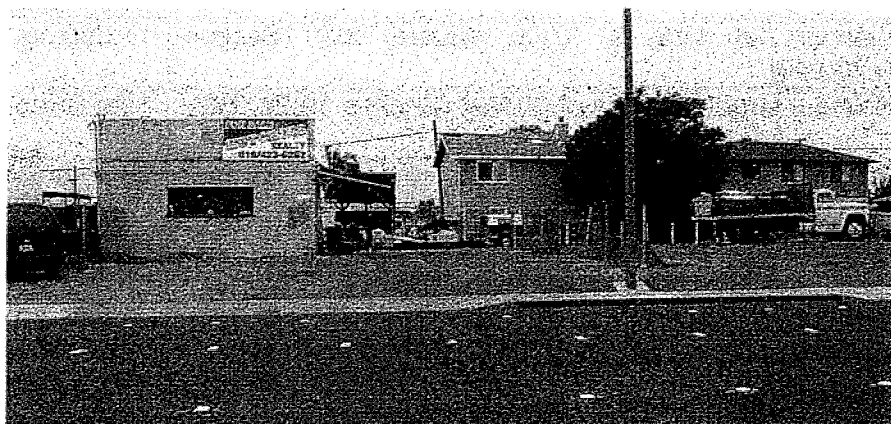
MEETING DATE: MARCH 2, 2005

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: PUBLIC HEARING: FERAS "RUSTY" BARGHOUT
(APPLICANT/PROPERTY OWNER)/NICK ALJABI
(ARCHITECT); CONDITIONAL USE PERMIT (CUP 03-03),
DESIGN REVIEW (DRC 03-10), SITE PLAN REVIEW (SPR 03-09) FOR A MIXED DEVELOPMENT WITH THREE RETAIL
COMMERCIAL SPACES AND FOUR RESIDENTIAL UNITS
LOCATED AT 1146 13TH STREET, IN THE C-3
(NEIGHBORHOOD COMMERCIAL) ZONE. MF 641.

PROJECT DESCRIPTION/BACKGROUND:

This project was originally scheduled for the January 19, 2005 meeting; however, the architect contacted city staff due to the legality of the plans being used by the current owner of the property. These issues have since been resolved. The architect and applicant are proceeding with the



project. On August 26, 2003, an application (MF 641) was submitted for a Conditional Use Permit (CUP 03-03), Design Review (DRC 03-10) and Site Plan Review (SPR 03-09) for a mixed-use development consisting of 3,962 square feet of retail commercial space on the first floor and four residential units totaling 3,632 square feet above the first floor on a developed 11,680 square foot parcel (APN 633-022-17-00 and 633-022-18-00) at 1146 13th Street in the C-3 (Neighborhood Commercial) Zone. In the C-3 (Neighborhood Commercial) Zone, a mixed-use development project is subject to approval of a Conditional Use Permit (I.B.M.C 19.28.020).

a.i

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Since the project proposes commercial development and is located in one of the eight design corridors in the City, 13th Street, it is subject to design review by the Design Review Board (IBMC 19.83.020). On October 8, 2003 the Design Review Board reviewed and recommended approval of this project with several conditions.

PROJECT EVALUATION/DISCUSSION:

The project site is an 11,680 square foot lot in the shape of rectangle that fronts on the west side of 13th Street between Imperial Beach Boulevard and Fern Avenue. The property consists of a parking lot and a bar, Joe's Lariat, which is now vacant. The adjacent property to the north is a newly completed mixed-used project (MF 615), which was approved by the City Council on June 4, 2003. The adjacent property to the south is an upholstery shop. Directly across 13th Street from the site are a bar, liquor store and a resale business. Across from the alley is a residential neighborhood zoned R-3000 (Two-Family Residential).

General Plan/Zoning Consistency: The proposed development is subject to C-3 (Neighborhood Commercial) zoning requirements. The C-3 zone is intended to provide for businesses to meet the local neighborhood demand for commercial goods and services. It is intended that the dominant type of commercial activity in the zone will be neighborhood serving retail and office use such as markets, professional offices, personal services, restaurants and hardware stores (I.B.M.C. 19.28.010). The proposed project will provide three retail commercial spaces, which meets the intent of the land use designation.

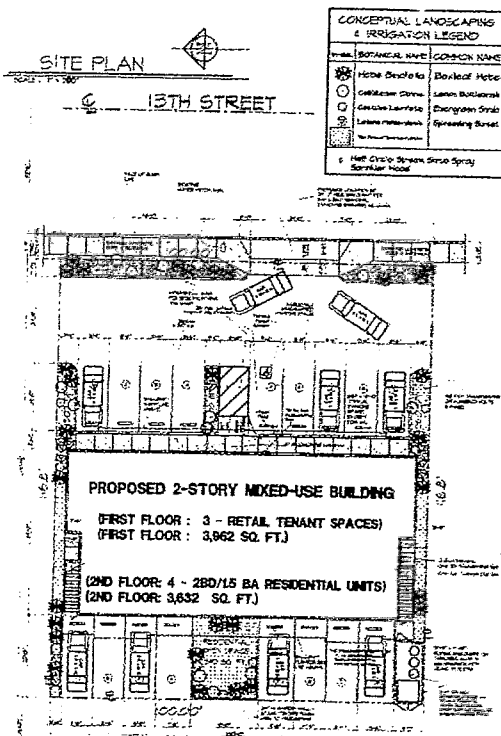
Standards	Provided/Proposed
One dwelling per 2,000 square feet of lot area above the first floor	One dwelling unit per 2,920 square feet
There are no front, side and rear yard setbacks in the C-3 zone (Section 19.28.030)	Front yard: 52 feet Side yard: 3 feet Rear yard: 22 feet
Minimum lot size of 3,000 square feet (Section 19.28.040)	11,680 square foot parcel.
Minimum street frontage of 30 feet (Section 19.28.050).	13th Street frontage of 100 feet.
Maximum building height of two stories or 28 feet (Section 19.28.060)	28 feet.
Open space: 300 square feet per dwelling unit	Public open space: 971square feet Private open space: 992 square feet
Commercial landscaping: not less than 15% of total site shall be landscaped and maintained (Section 19.50.030).	11,680 square feet total =1,752 square feet of landscaping (15%) A 10% administrative adjustment may be given to reduce the total landscaping (175 square feet)= 1,578 square First floor landscaping=1,363 square feet Second floor landscaping=240 square feet Total=1,603 square feet (13.7%) with 10% administrative adjustment

Required parking spaces for commercial, retail: one space for each two hundred fifty square feet of net floor area, plus one space per two employees (Section 19.48.050.I). Required parking spaces for residential dwelling units in the C-3 zone: 1.5 per dwelling unit (Section 19.48.030.C)	11 spaces including one handicapped space= one space for each two hundred fifty square feet of net floor area, plus one space per two employees (3 employee spaces) Six required spaces = 1.5 spaces per residential unit.
Freestanding sign in the C-3 zone: maximum area of 40 square feet, maximum height of eight feet and one sign per lot frontage (Section 19.52.050.B) Building signs in the C-3 zone: one square foot per lineal foot of wall face (Section 19.52.050.B)	One 40 square feet (20 square feet per sign face) sign, height of 7.6 feet Three building signs "Tenant"= 45 square feet (15 square feet each) One building sign "Braudaway Square"= 28 square feet 94 lineal feet of wall space Total building signs: 73 square feet

Surrounding Land Use and Zoning

North:	C-3	Mixed-use
South:	C-3	Commercial
East:	C-3	Commercial
West:	R-3000	Residential

Design Review: This site fronts along 13th Street, a designated Design Corridor. The applicant's architect has proposed varied rooflines and architectural detailing and relief through the incorporation of building recesses and balconies. The applicant also proposes a variety of landscaping; including Boxleaf Hebe, Lemon Bottlebrush, Evergreen shrub, Spreading Sunset and "Tall Fescue" lawn grass, in front of the commercial space. Landscaping will also be located in the residential open space off the alley and along the north and south side of the building as proposed by the architect in the revised landscaping plans submitted on July 8, 2004. The overall design of the building should contribute positively in making an architectural statement along 13th Street. This project will be similar in design and will complement the recently constructed mixed project, "13th Street Market," that was approved by the City Council on June 4, 2003.



Vacant lots pose an opportunity for the City and property owner to comprehensively plan and design these sites for commercial development. Staff has encouraged this property owner and the property owner to the north to leave the plan open to the option of providing for mutual access and parking. These will be conditions of the project.

Parking for the commercial and residential units will be located in two on-site locations. The commercial retail unit is required to have 11 parking spaces including one handicapped parking space. The required handicapped

space and eight spaces for the commercial space will be located in the front of the building off of 13th Street. Two parking spaces for employee parking will be located off the alley. The six parking spaces provided for the residential units are also located off the alley and access to these parking spaces is from the alley.

The trash and recycling enclosure for both the commercial space and the residential units is located behind the rear stairwell off the alley. The DRB has recommended that the garbage enclosure will be shifted to the north so that it is adjacent to the garbage enclosure of 1126 13th Street.

The commercial space will be accessible from 13th Street on the first floor. There are two doors, on the west elevation, that provide access to the trash enclosure from the middle commercial unit on the first floor. The exterior commercial units have access to the trash enclosure from doors on the north and south sides of the building respectively. The access for the residential units, via two sets of stairways on the north and south to the second floor, is from the rear of the building (alley).

The City is requiring new development to conform to the new state water quality/urban runoff requirements (SDRWQCB Order 2001-01). Plans for new development will now need to show drainage patterns to demonstrate how storm water will be directed to landscaped areas (bioswales) or to filters before it is discharged into the city's storm sewers or to the beach. Prior to City Council approval, the grading and drainage plans for this project will need to show such compliance. On August 16, 2004, the applicant's engineering company, Snipes-Dye Associates, submitted a Storm Water Management and Maintenance Plan to address the storm water requirements triggered by SUSMP. A Report for Geotechnical Investigation was submitted by C.W. La Monte Co., Inc., on behalf of the applicant, on November 8, 2004. Both documents were approved by the City Engineer for storm water compliance. After review by staff from Community Development, Public Works and Building, the Storm Water Management and Maintenance Plan submitted by the applicant has adequately addressed the requirements of SUSMP.

ENVIRONMENTAL IMPACT: This project may be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 as a Class 3(c) project (New Construction).

COASTAL JURISDICTION: The project is not located in the Coastal Zone, and, therefore, the City would not need to consider evaluating the project with respect to conformity with coastal permit findings.

FISCAL ANALYSIS:

The applicant has deposited \$3,500.00 in Project Account Number 261-641 to fund the processing of this application.

DESIGN REVIEW BOARD RECOMMENDATION:

On October 8, 2003, the DRB recommended approval of the project design provided that:

1. The building should be a darker tone with a lighter trim.
2. The lettering on the signs should have deeper tones such as dark blue, burgundy, and dark green and will be finalized by the applicant and staff at a later time.

3. The garbage enclosure will be shifted to the North so that it is adjacent to the garbage enclosure of 1126 13th Street.
4. Landscaping will be planted so that it provides sufficient protection to the monument sign.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council receive this report and public testimony and take the following actions:

1. Declare the public hearing open
2. Receive public testimony
3. Close the public hearing
4. Adopt Resolution No. 2005-6114, granting conditional approval of Conditional Use Permit (CUP 03-03), Design Review (DRC 03-10) and Site Plan Review (SPR 03-09), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown

Attachments:

1. Resolution 2005-6114
 2. Plans
 3. DRB Agenda Packet: DRB Staff Report, Resolution No. 2003-07, DRB Checklist
 4. DRB Minutes
- c: file MF 641
Feras "Rusty" Barghout, 1851 Galveston Street, San Diego, CA 92110
George Braudaway, All Phase Drywall, P.O. Box 643, Imperial Beach, CA 91932
Hugh Wood (for Nick Aljabi), 1317 Woodhaven Drive, Oceanside, CA 92056
Nick Aljabi, Architect, Engineering Field Activity Mediterranean, Naval Facilities
Engineering Command, PSC 817 Box 51, FPO AE 09622-0051
Robert Brukart, P.E., Snipes-Dye Associates, 8348 Center Drive, Suite G, La Mesa, CA
91942-2910
C.W. La Monte Co., Inc., 4350 Palm Ave, Suite 25, La Mesa, CA 91941
Sam Shaker, Building Official
Paul Smith, Public Safety

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RESOLUTION NO. 2005-6114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 03-03), SITE PLAN REVIEW (SPR 03-09), AND DESIGN REVIEW (DRC 03-10) FOR A MIXED-USE DEVELOPMENT WITH THREE RETAIL COMMERCIAL SPACES AND FOUR RESIDENTIAL UNITS LOCATED AT 1146 13th STREET IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE. MF 641

WHEREAS, on March 2, 2005, the City Council of the City of Imperial Beach held a duly advertised public hearing to consider the merits of approving or denying an application for a Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail three retail commercial spaces on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, on a site legally described as follows:

Lots 35, 36, 37 and 38, inclusive in Block 2 of Imperial Beach Park, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 1994, filed in the Office of the County Recorder of San Diego County, February 1, 1927; excepting therefrom the Easterly 10 feet thereof.

WHEREAS, on October 8, 2003, the Design Review Board adopted DRB Resolution No. 2003-02 recommending approval of the project design; and

WHEREAS, the project design of a mixed-use development consisting of 3,962 square feet retail commercial space on the first floor and four residential units totaling 3,632 square feet above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, is compatible with other developments in the vicinity which consist of a mixed-use development to the north, an upholstery shop to the south, commercial buildings to the east and a residential neighborhood to the west, and, therefore, would be consistent with Policy D-8 (Project Design) of the Design Element of the General Plan; and,

WHEREAS, the City Council finds that the project is in substantial compliance with Policy L-4g of the Land Use Element of the General Plan, which promotes Thirteenth Street Commercial Areas (C-3) for pedestrian-oriented commercial uses that serve the neighborhood; and

WHEREAS, the City Council finds that the project is consistent with the C-3 (Neighborhood Commercial) Zone of the Zoning Ordinance, which promotes the local neighborhood demand for commercial goods and services; and

WHEREAS, this project complies with the requirements of the California Environmental Quality (CEQA) as this project is categorically exempt pursuant to the CEQA Guidelines Section 15303 as a Class 3(c) project (New Construction); and

WHEREAS, the City Council considered the information contained in the staff reports on this case and public testimony received on this case; and

WHEREAS, at the close of said meeting on March 2, 2005, a motion was duly made and seconded to approve Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3

(Neighborhood Commercial) Zone, based upon the following findings and subject to the conditions of approval contained herein.

CONDITIONAL USE FINDINGS:

1. **The proposed use at the particular location is necessary or desirable to provide a service or facility, which will contribute to the general well being of the neighborhood or community.**

In the C-3 (Neighborhood Commercial) Zone, the intent of the zone is to promote the local neighborhood demand for commercial goods and services such as markets, professional offices, personal services, restaurants and hardware stores (IBMC 19.28.010). This project will provide additional retail commercial space in this area of 13th Street to meet the demands for goods in the surrounding neighborhood. This project will also provide additional housing, four units with off street parking, to meet the current housing demand. Also, the development of this project may encourage revitalization of the existing area, development of the nearby vacant lots and increase patronage to the surrounding businesses. Development of this project on a vacant lot may also decrease the amount of problems, such as vandalism and crime, associated with the vacant lots in the neighborhood.

2. **The proposed use will not, under any circumstances, of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.**

The proposed development, a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. In the Conditions of Approval, specific conditions have been set forth by the Community Development Department and the Public Works Department to mitigate the concerns such a development project may create.

3. **The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in the same zone.**

The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in C-3 (Neighborhood Commercial) zone. The specific conditions that have been set forth by the Community Development Department will ensure that granting of the Conditional Use Permit will achieve compliance with zoning regulations.

4. **The granting of such conditional use permit will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.**

The granting of the conditional use permit for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, will be in harmony with the purpose and intent of the zoning code (IBMC 19.82.040.D), the adopted general plan. The site is not within the coastal zone. The following list of specific conditions of

approval set forth by the Community Development Department and the Public Works Department will ensure that the granting of the Conditional Use Permit will achieve compliance.

SITE PLAN REVIEW FINDINGS:

5. **The proposed use does not have a detrimental effect upon the general health, welfare, safety and convenience of persons residing or working in the neighborhood, and is not detrimental or injurious to the value of property and improvements in the neighborhood.**

The applicant proposes a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, that would not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. The project proposes parking for the commercial and residential units will be located in two on-site locations. The commercial retail unit is required to have eleven parking spaces including one handicapped parking space. The required handicapped space and eight spaces for the commercial space will be located in the front of the building off of 13th Street. Two parking spaces for employee parking will be located off the alley. The six parking spaces provided for the residential units are also located off the alley and access to these parking spaces is from the alley. In the Conditions of Approval, specific conditions have been set forth by the Community Development Department and the Public Works Department to mitigate the concerns such a development project may create.

6. **The proposed use will not adversely affect the General Plan/Local Coastal Plan.**

The proposed mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street is consistent with the C-3 (Neighborhood Commercial) zone, which promotes the local neighborhood demand for commercial goods and services.

7. **The proposed use is compatible with other existing and proposed uses in the neighborhood.**

The subject site is in the "Neighborhood Commercial" zone, which encompasses 13th Street from Ebony Avenue to the north and Fern Avenue to the south. "Neighborhood Commercial" also encompasses Imperial Beach Boulevard, from Florence Street on the west to Georgia Street on the east. Within this area, commercial and residential uses vary in character, bulk, and scale. The proposed project is compatible with the established commercial and residential uses.

8. **The location, site layout and design of the proposed use properly orient the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner.**

This site fronts along 13th Street. The adjacent property to the north is a newly complete a mixed-use development, "13th Street Market," an upholstery shop to the south, commercial buildings to the east and a residential neighborhood to the west. Directly across 13th Street from the site are a liquor store, The Office Club bar and a resale

business. Across from the alley is a residential neighborhood zoned R-3000 (Two-Family Residential). The project has varied rooflines and architectural detailing and relief through the incorporation of building recesses. The applicant also proposes a variety of landscaping; including Boxleaf Hebe, Lemon Bottlebrush, Evergreen shrub, Spreading Sunset and "Tall Fescue" lawn grass, in front of the commercial space. Landscaping will also be located in the residential open space off the alley and along the north and south side of the building as proposed by the architect in the revised landscaping plans submitted on July 8, 2004. The overall design of the building should contribute positively in making an architectural statement along 13th Street. Many of the existing buildings in the area are older structures. The project shall properly orient the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner.

9. The combination and relationship of one proposed use to another on the site is properly integrated.

The project is a mixed-use development with a retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone. The combination and relationship of the commercial office space in relation to the residential units on the site is properly integrated.

10. Access to and parking for the proposed use will not create any undue traffic problems.

Parking access is from both 13th Street and the alley behind 13th Street. The commercial parking will be located in the front of the building off of 13th Street with employee parking off of the alley. The parking provided for the residential units is also located off the alley and access to these parking spaces is from the alley. The parking design will not create any undue traffic problems.

11. The project complies with all applicable provisions of Title 19.

The project is subject to compliance with the zoning requirements per Chapter 19.28 of the City of Imperial Beach Municipal Code, titled "Neighborhood Commercial (C-3) Zone." A Conditional Use Permit is required for residential development above the first floor at a maximum density of one unit per every thousand square feet of lot area and interim parking pursuant to Section 19.28.020.A.3. The parking for the project will be provided in two on-site locations, off 13th Street for the retail commercial unit and off the alley for the employee parking and residential units. Site Plan approval by the City Council is required per Section 19.28.020.D. Design Review is required per Section 19.83.020.A.3.

DESIGN REVIEW FINDINGS:

12. The project is consistent with the City's Design Review Guidelines.

The design of the project is consistent with the City's Design Policy D-8 (Project Design) of the General Plan as per Design Review Compliance checklist attached hereto and findings contained herein.

NOW, THEREFORE, BE IT RESOLVED that an application for Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, is hereby approved by the City Council of the City of Imperial Beach subject to the following:

CONDITIONS OF APPROVAL:

A. PLANNING:

1. The City is requiring new development to conform to the new state water quality/urban runoff requirements (SDRWQCB Order 2001-01). Plans for new development will now need to show drainage patterns to demonstrate how storm water will be directed to landscaped areas (bioswales) or to filters before it is discharged into the city's storm sewers or to the beach.
2. All catch basin subdrains shall be deepened to reach the area of percolation as identified in the soils report.
3. Filter fabric shall be applied around the 18" perforated pipe in the catch basin subdrain.
4. Owner must enter into and provide proof of post-construction (BMPs) maintenance agreement for all catch basin filters and subdrains.
5. Final drainage for the balconies shall comply with SUSMP requirements.
6. Owner shall record a mutual access and parking agreement in concert with the master plans of the adjacent parcels and subject to approval of the City.
7. The 30-inch retaining wall shall be made of a material coordinated in color with the building in either stucco or split face block.
8. The trash enclosure shall be made of the same/similar materials and designed in accordance with the trash enclosure for the mixed-use project at 1126 13th Street (MF 615).
9. Residential units (particularly those facing east) shall have soundproof windows such as double-pane windows.
10. Applicant must comply with building/structural changes identified and revised in plans for in the mixed-use project at 1126 13th Street (MF615), if applicable to this project. These changes must be reflected in the plans prior to submittal for building permits.
11. Ensure that the proposed monument sign is located out of the public right-of-way.
12. Replace the landscaping proposed in second story planter boxes to the rear yard (ground level) as shown in the revised plans submitted by the architect on July 08, 2004.
13. Approval of Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146

13th Street, in the C-3 (Neighborhood Commercial) Zone is valid for one year from the date of final action to expire on March 2, 2006. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed statement accepting said conditions.

14. All negative balances in the project account (261-641) shall be paid prior to building permit issuance and final inspection.

B. BUILDING:

15. A soils report will be required at the time plans are submitted for building permit plan check (619-628-1357).

C. PUBLIC SAFETY:

16. Address must be clearly visible with 6" high numbers and with ¾" stroke on contrasting background.
17. 1-2A10BC extinguisher located on each entry deck of residential units clearly marked 22" x 36" attic access in each unit. Also on or near a door and at the bottom of the stairs. Smoke detectors are required in each sleeping room and in corridor leading to sleeping room. All smoke detectors shall be wired to building wiring.
18. Commercial retail – all units need to be clearly marked and visible from street and alley. 1-2A10BC extinguishers required in each unit and Knox box required near exit.
19. Residential and Commercial – Require all utilities, gas, electric and water to be individually marked per unit number. All address need to be clearly visible from street and alley.

PUBLIC WORKS:

20. Ensure that the hot water tank P.T. discharge pipes are piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01
21. Ensure that no building roof or landscape water drains are piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
22. Construct the driveway approach(es) on 13th Street to comply with Regional Standard Drawing G-14A. Sidewalk cuts must coincide with the existing sidewalk five-foot sections. A sidewalk section cannot be cut into smaller sections. Likewise if the curb and gutter is to be cut in order to comply with Regional Standard Drawing G-14A, the reconstruction must not leave an existing curb and gutter section less than 9 feet in length. Note: The construction of an ADA compliant driveway approach will require a grant of easement to the City for this construction.
23. Replace 80 feet of broken curb and gutter adjacent to the project site.

24. For alley, sidewalk or curb & gutter replacement ensure compliance with San Diego Regional Standard Drawing G-11 in that, the "Area to be removed [must be] 5 feet or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5 feet. Where the distance from "Area to be removed" to existing joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge, or score mark.
25. Ensure constructed refuse storage enclosure is constructed in accordance with I.B.M.C. 19.74.090. Ensure trash enclosure is sized to include recycling containers as well as refuse containers.
26. Install survey monuments on northeast property line and southeast property line in or adjacent to the sidewalk. Record same with county office of records
27. For any work to be performed in the street or alley, submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or Caltrans Traffic Control Manual.
28. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in the street trench. Asphalt shall be AR4000 ½ mix (hot).
29. If it is necessary to cut into the alley pavement as part of this project, all concrete cuts in the alley must be replaced with #4 rebar dowels positioned every 1 foot on center. Concrete specification must be 560-C-3250. Concrete cuts must also comply with Item No. 4 above and terminate at least 18 inches before or beyond the alley flow line.
30. In accordance with I.B.M.C. 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.
31. Recommend applicant agree to underground all utilities in accordance with I.B.M.C. 13.08.060.
32. Advise the property owner that he/she must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant must provide the following documents to the City of Imperial Beach following before project may begin work:
 - A checklist of selected BMPs and location of the BMPs on project plans for review by the City (JURMP Form 7-B and Table 7-3).
 - Certification of intent to maintain selected BMPs (JURMP Form 7-B).
 - A Storm Water Management Plan JURMP (Form 7-B).
33. Additionally these BMP practices shall include but are not limited to: Contain all construction water used in conjunction with the construction. Contained construction

water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.

- All recyclable construction waste must be properly recycled and not disposed in the landfill.
- Water used on site must be prevented from entering the storm drain conveyance system (i.e., streets, gutters, alley, storm drain ditches, storm drain pipes).
- All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
- Erosion control – All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system

34. Advise the property owner that as of January 1, 2000, any disposal/transportation of solid waste/construction waste in roll-off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 2nd day of March 2005, by the following roll call vote:

AYES: **COUNCILMEMBERS:**
NOES: **COUNCILMEMBERS:**
ABSENT: **COUNCILMEMBERS:**

DIANE ROSE, MAYOR

ATTEST:

JACQUELINE M. HALD
CITY CLERK

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2005-6114- A Resolution of the City Council of the City of Imperial Beach approving for a Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone.

 CITY CLERK

 DATE

02.13

BRAUDAWAY SQUARE

1146 13TH STREET

IMPERIAL BEACH, CA 91932

PROJECT DATA :

NING = C-3

SS LOT SIZE / AREA = 100 FT x 126.8 FT = 12,680 SQ FT (including 10 Foot Street Dedication)
 LOT SIZE / AREA = 100 FT x 116.8 FT = 11,680 SQ FT
 MIN LANDSCAPE AREA = 15% OF TOTAL SITE AREA = 1,752 SQ FT
 LANDSCAPED AREA OF 1,752 SF less 10% ALLOWED WITH ADMINISTRATIVE DISCRETION (175 SF)
 REQUIRED LANDSCAPED AREA = 1,752 SF - 175 SF = 1,578 SQ FT
 PROPOSED LANDSCAPED AREA = (231+103+10+260+307+342+240 Planter Boxes at 2nd Flr)
 PROPOSED LANDSCAPED AREA = 1,603 SQ FT
 MINIMUM COMMERCIAL PARKING REQUIREMENTS = 1 P.S./250 NET SQ FT + 1 P.S. PER 2 EMPLOYEES
 PROPOSED COMMERCIAL PARKING SPACES = 11 P.S. (3 FOR EMPLOYEES + 8 FOR PATRONS)
 MAXIMUM NET COMMERCIAL (RETAIL) SPACE NET AREA = 8 x 250 = 2,000 SQ FT
 PROPOSED NET COMMERCIAL (CUSTOMER) AREA = 1,812 SQ FT
 PROPOSED COMMERCIAL (NON-CUSTOMER) AREA = 2,150 SQ FT
 PROPOSED GROSS COMMERCIAL SPACE FOR ALL THREE TENANTS = 3,962 SQ FT

MINIMUM DENSITY = 1 DU. PER 2,000 SQ FT OF LOT AREA
 PROPOSED RESIDENTIAL DEVELOPMENT = 4 DWELLING UNITS @ 908 SQ FT EACH = 3,632 SQ FT
 PROPOSED OPEN SPACE AT GRADE LEVEL = 342 SQ FT
 PROPOSED OPEN SPACE ABOVE GRADE LEVEL (BALCONIES) = 4 x 90 SQ FT = 360 SQ FT
 PROPOSED OPEN SPACE ABOVE GRADE LEVEL (PLANTER BOXES) = 240 SQ FT
 PROPOSED TOTAL OPEN SPACE ABOVE GRADE LEVEL (BALCONIES + PLANTER BOXES) = 360 + 240 = 600 SQ FT
 MINIMUM PARKING REQUIREMENTS = 1.5 P.S./DU. = 6 PARKING SPACES
 MINIMUM PARKING SPACES PROVIDED = 6 PARKING SPACES

GENERAL NOTES

PROJECT SHALL COMPLY WITH TITLE 24 AND THE 1997 UMC, AND THE 1946 NEC (ALL AS AMENDED BY THE / COUNTY OF SAN DIEGO).

IF HEALTH & SAFETY CODE SEC. 17921.9 BANS THE USE OF CHLORINATED POLYVINYL CHLORIDE (CPVC) INTERIOR WATER-SUPPLY PIPING.

ADDRESSES MUST BE CLEARLY VISIBLE WITH 6" HIGH LETTERS & WITH 3/4" STROKE ON CONTRASTING BACKGROUND. PARKING IS ALLOWED IN THE ALLEY.

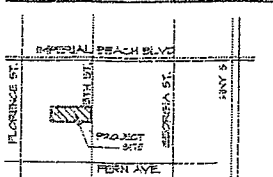
SHALL BE FORWARDED TO MTD FOR REVIEW AND COMMENTS PRIOR TO PROJECT APPROVAL. DUE TO EXISTENCE OF BUS STOP ADJACENT TO THIS PROPOSED DEVELOPMENT.

WAY APPROACH RE-CONSTRUCTION ON 13TH STREET TO COMPLY REGIONAL STANDARD DWS 6-14A. SIDEWALK CUTS MUST COINCIDE WITH 5-FT SECTIONS (WHICH CANNOT BE CUT INTO 3-FT SECTIONS). LIKEWISE, IF THE CURB & GUTTER ARE TO BE CUT, RE-CONSTRUCTION MUST NOT LEAVE AN EXISTING CURB & GUTTER OR LESS THAN 4 FT IN LENGTH. THE CONSTRUCTION OF AN ADJACENT DRIVEWAY APPROACH WILL REQUIRE A GRANT OF EASEMENT & CITY FOR THIS CONSTRUCTION.

REPLACE OR CURB & GUTTER REPLACEMENT AT ALLEY, ENSURE COMPLIANCE WITH SAN DIEGO REGIONAL STANDARD DWS 6-11 IN THAT AREA TO BE REMOVED MUST BE 5 FT OR FROM JOINT TO JOINT OR LESS, WHICHEVER IS LESS.

2. FOR WORK PERFORMED IN THE STREET OR ALLEY, A TRAFFIC CONTROL PLAN PER REGIONAL STD DWS OF CALTRANS TRAFFIC CONTROL MANUAL MUST BE SUBMITTED FOR APPROVAL BY PUBLIC WORKS DIRECTOR A MIN OF 5 WORKING DAYS IN ADVANCE OF STREET WORK.
3. STREET WORK CONSTRUCTION SHALL BE PERFORMED BY CLASS A CONTRACTOR. STREET REPAIRS MUST ACHIEVE 95% SUB SOIL COMPACTION. ASPHALT REPAIR MUST BE A MIN OF 4" THICK ASPHALT PLACED IN THE STREET TRENCH. ASPHALT SHALL BE AR4000 1/2" MIX (HOT).
4. IF IT IS NECESSARY TO CUT INTO ALLEY PAVEMENT, ALL CONCRETE CUTS MUST BE REPLACED WITH #4 REBAR DOVELS @ 12" O.C. CONCRETE SPECS MUST BE 560-C-3250. CONCRETE CUTS SHALL TERMINATE 10' BEFORE OR BEYOND THE ALLEY FLOW LINE.
5. IAW I.B.M.C. 12.32.120, CONTRACTOR SHALL PLACE & MAINTAIN WARNING LIGHTS & BARRIERS AT EACH END OF THE WORK, & AT NO MORE THAN 50 FT APART ALONG THE SIDE THEREOF FROM SUNSET OF EACH DAY UNTIL SUNRISE OF FOLLOWING DAY, UNTIL THE WORK IS ENTIRELY COMPLETED. BARRIERS SHALL BE PLACED & MAINTAINED NOT LESS THAN THREE FEET HIGH.
6. ALL BEST MANAGEMENT PRACTICES (BMP) DURING CONSTRUCTION & POST CONSTRUCTION SHALL BE PER DETAILED BMP PLAN TO BE SUBMITTED PRIOR TO ISSUANCE OF GRADING & BUILDING PERMITS.
7. AS OF JANUARY 01, 2000, ANY DISPOSAL/TRANSPORTATION OF SOLID WASTE / CONSTRUCTION WASTE IN ROLL OFF CONTAINERS MUST BE CONTRACTED THROUGH EDGO DISPOSAL CORPORATION, UNLESS THE HAULING CAPABILITY EXISTS INTEGRAL TO THE PRIME CONTRACTOR PERFORMING THE WORK.

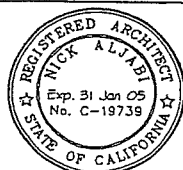
IMPERIAL BEACH, CA 91932



VICINITY MAP
NO SCALE

ACAD FILE NAME: SITE.DWG

BRAUDAWAY SQUARE



SIGNATURE

SHEET TITLE:
**SITE PLAN
TITLE, INDEX, DATA,
VICINITY MAP**

DRAWING SCALE:

PROJECT ADDRESS: 1146 13TH STREET
IMPERIAL BEACH, CA 91932



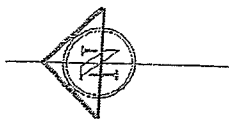
ALJABI
Registered Architect

Nick Aljabl
Registered Architect
License No. C-19739








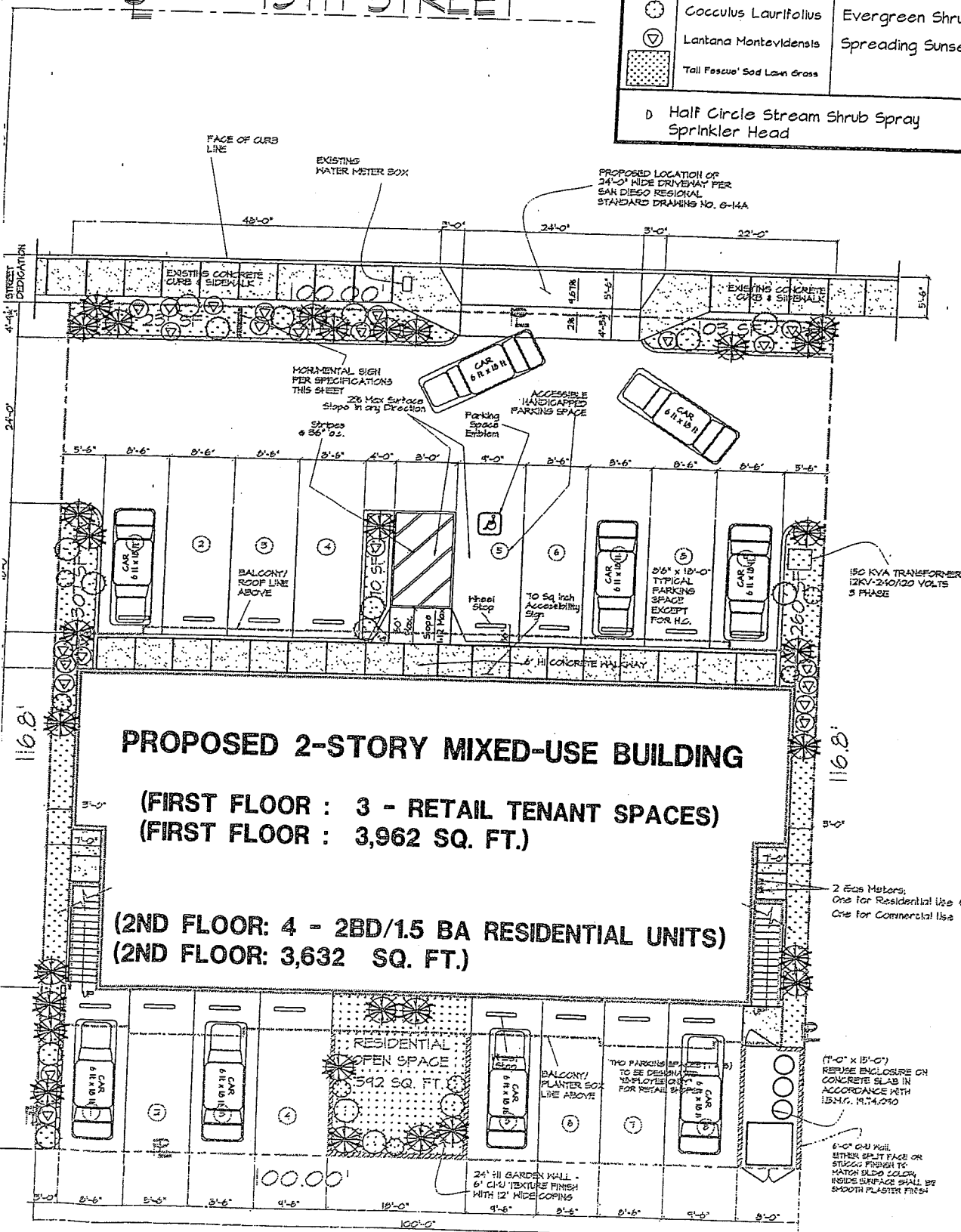
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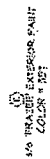
LE : 1" = 200"



C 13TH STREET

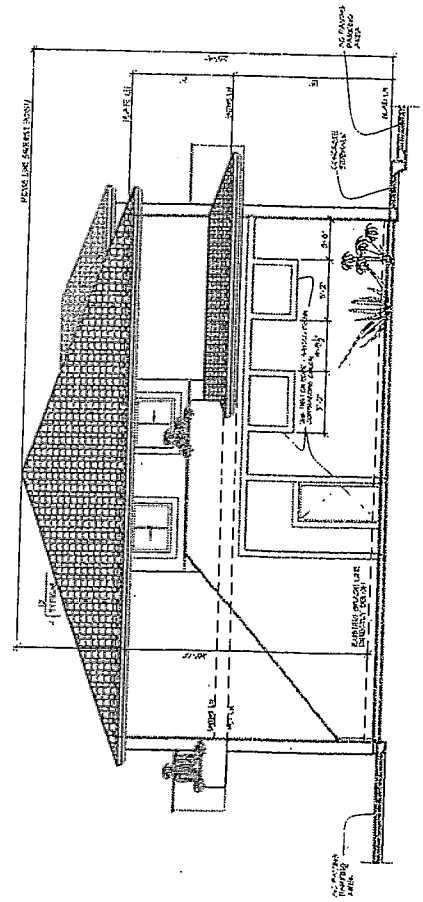
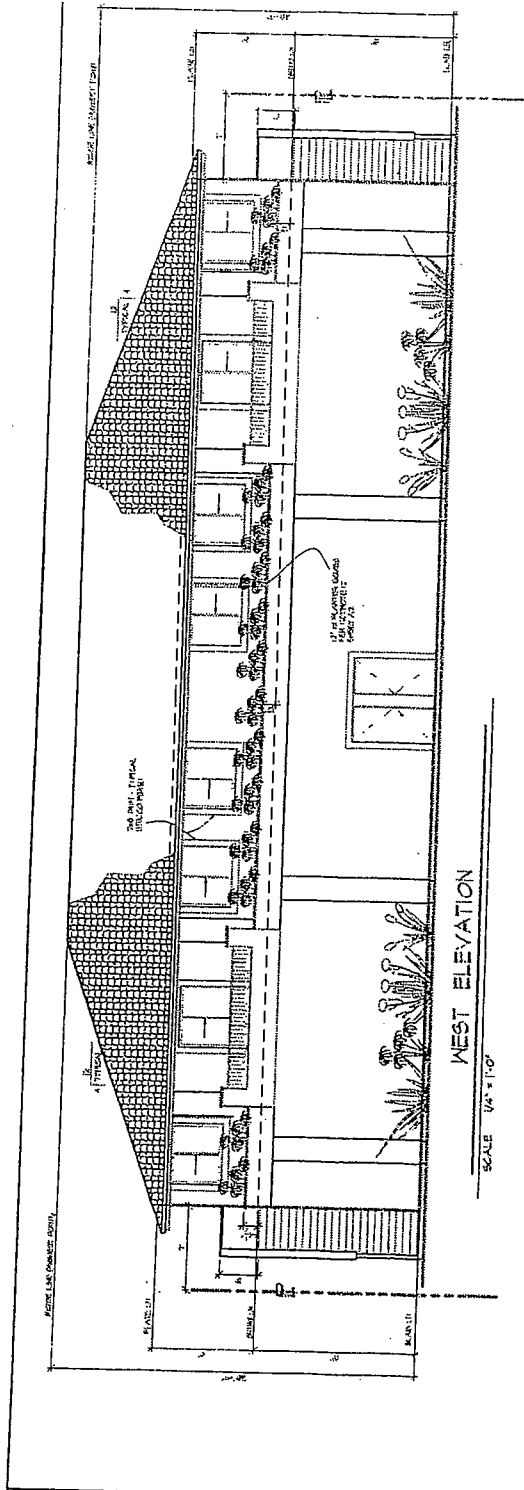
CONCEPTUAL LANDSCAPING & IRRIGATION LEGEND		
SYMBOL	BOTANICAL NAME	COMMON NAME
	<i>Hebe Buxifolia</i>	Boxleaf Hebe
	<i>Callistemon Citrinus</i>	Lemon Bottlebrush
	<i>Cocculus Laurifolius</i>	Evergreen Shrub
	<i>Lantana Montevdensis</i>	Spreading Sunset
	Tall Fescue ¹ Sod Lawn Grass	
d Half Circle Stream Shrub Spray Sprinkler Head		



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APR 11 1961
 EXTENSOR ELEVATIONS
 PLANK HOLD 100" = 1-0"



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ARCHITECT'S SEAL

BRAUDAWAY SQUARE

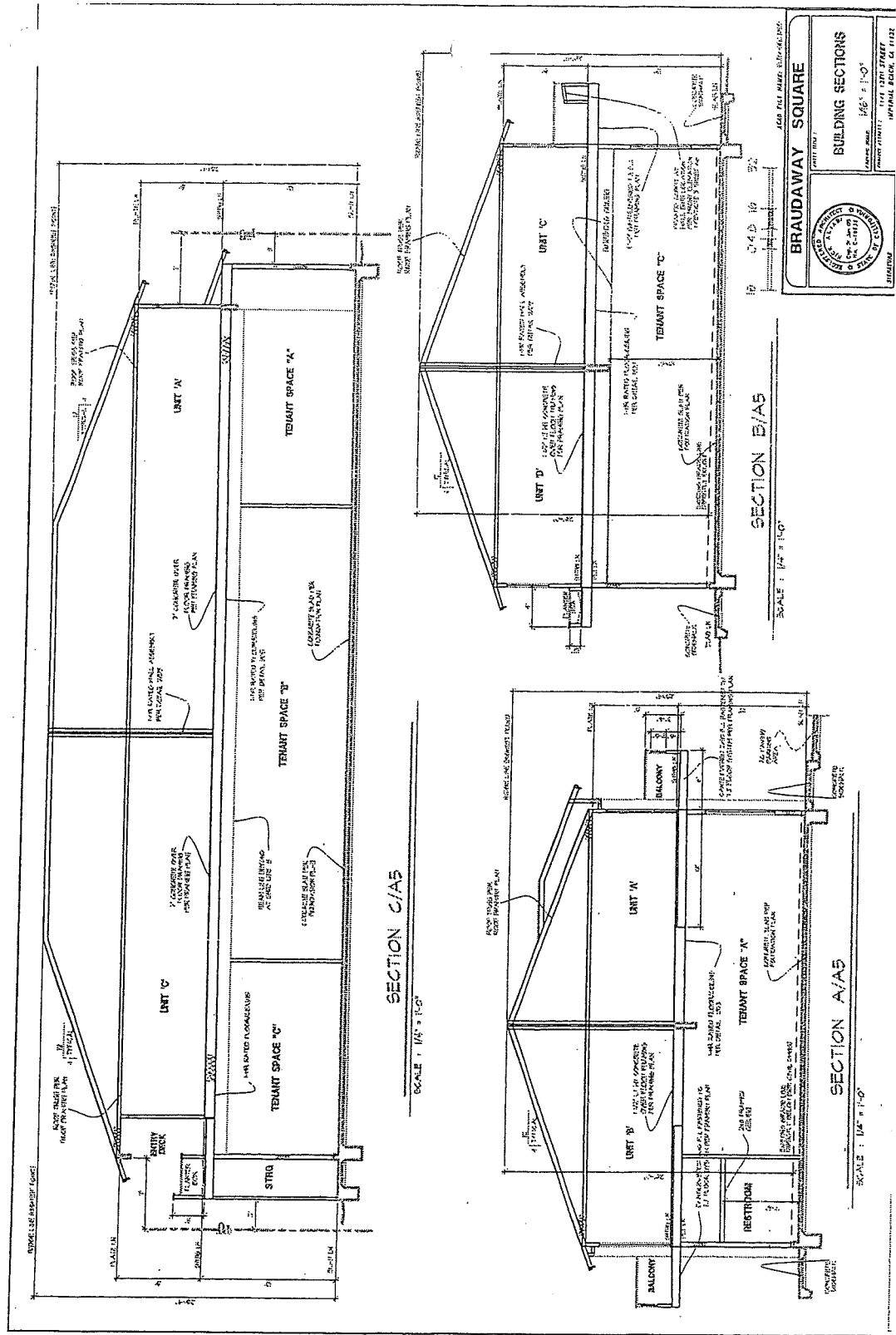
EXTERIOR ELEVATIONS

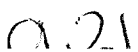
SCALE: 1/8\"/>

SOUTH ELEVATION

SCALE: 1/4\"/>

(NOTE: NORTH ELEVATION IS ON REVERSE SIDE)



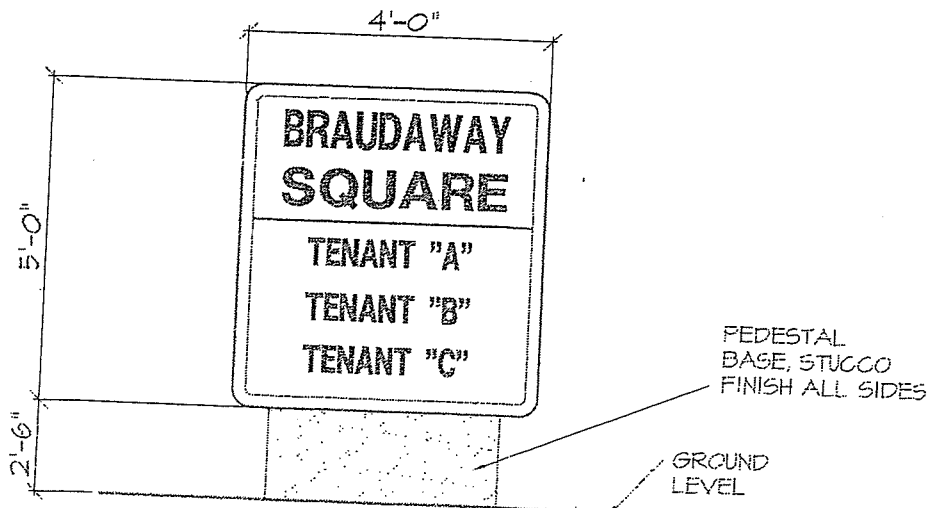


BRAUDAWAY SQUARE

MONUMENTAL SIGN SPECIFICATIONS

SIGN SIZE : 4' LONG x 5' HIGH x 12" DEEP
 SIGN AREA : 20 SQ FT per side (40 SQ FT total for both sides)
 HEIGHT ABOVE GROUND LEVEL : 7'6"
 SIGN TYPE : MONUMENTAL / CABINET TYPE
 NUMBER OF FACES : 2
 ILLUMINATION : FLUORESCENT (FROM INSIDE)
 SIGN FRAME : 3" ANGLE IRON WELDED WITH
 1/4" WELD ALL AROUND TO
 STEEL CONNECTION PLATE

	MATERIAL	COLOR
FACE	PLEXIGLASS	LETTERS: RED COLOR, 18" HI HELVETICA BOLD STYLE BACKGROUND: WHITE COLOR
FRAME	ANGLE IRON	GLOSS ENAMEL PAINT, s/e 'BEHR' OFF WHITE COLOR #OW-6, SMOKE RING 73A-2P
PEDESTAL BASE	PLASTER (STUCCO)	s/e 'EXPO' EXTERIOR STUCCO COLOR #262, CAFFE LATTE



1146 13TH STREET -- BRAUDAWAY SQUARE

EXTERIOR MATERIAL / COLOR LEGEND

MATERIAL / LOCATION	COLOR
① EXTERIOR STUCCO (PLASTER) - WALLS	(A)
② EXTERIOR STUCCO (PLASTER) - CANOPY/POF-OUTS/TRIMS	(B)
③ CONCRETE ROOF TILE	(C)
④ STORE FRONT VINYL FRAME - DOORS & WINDOWS	(D)
⑤ WROUGHT IRON RAILING	(E)
⑥ 1x4 over 2x8 ROUGH SAWN FASCIA - PAINTED	(E)

(A)

s/e 'EXPO' EXTERIOR STUCCO
COLOR #283
BONE (Base 1)

(B)

s/e 'EXPO' EXTERIOR STUCCO
COLOR #50
PEACH CREAM (Base 1)

(C)

s/e 'EAGLE ROOF TILE'
COLOR #2535
SAN RAMON

(D)

s/e 'PACIFIC WINDOW' CORP
VINYL FRAME
WHITE

(E)

s/e 'FRAZEE' EXTERIOR PAINT
COLOR # 337
MEDIUM BROWN

PROJECT DATA :

ZONING = C-3

GROSS LOT SIZE / AREA = 100 FT x 126.8 FT = 12,680 SQ FT (Including 10 Feet Street Dedication)
NET LOT SIZE / AREA = 100 FT x 116.8 FT = 11,680 SQ FT

MINIMUM LANDSCAPE AREA = 15% OF TOTAL SITE AREA = 1,752 SQ FT

MIN LANDSCAPED AREA OF 1,752 SF less 10% ALLOWED WITH ADMINISTRATIVE DISCRETION (175 SF)

MIN REQUIRED LANDSCAPED AREA = 1,752 SF - 175 SF = 1,578 SQ FT

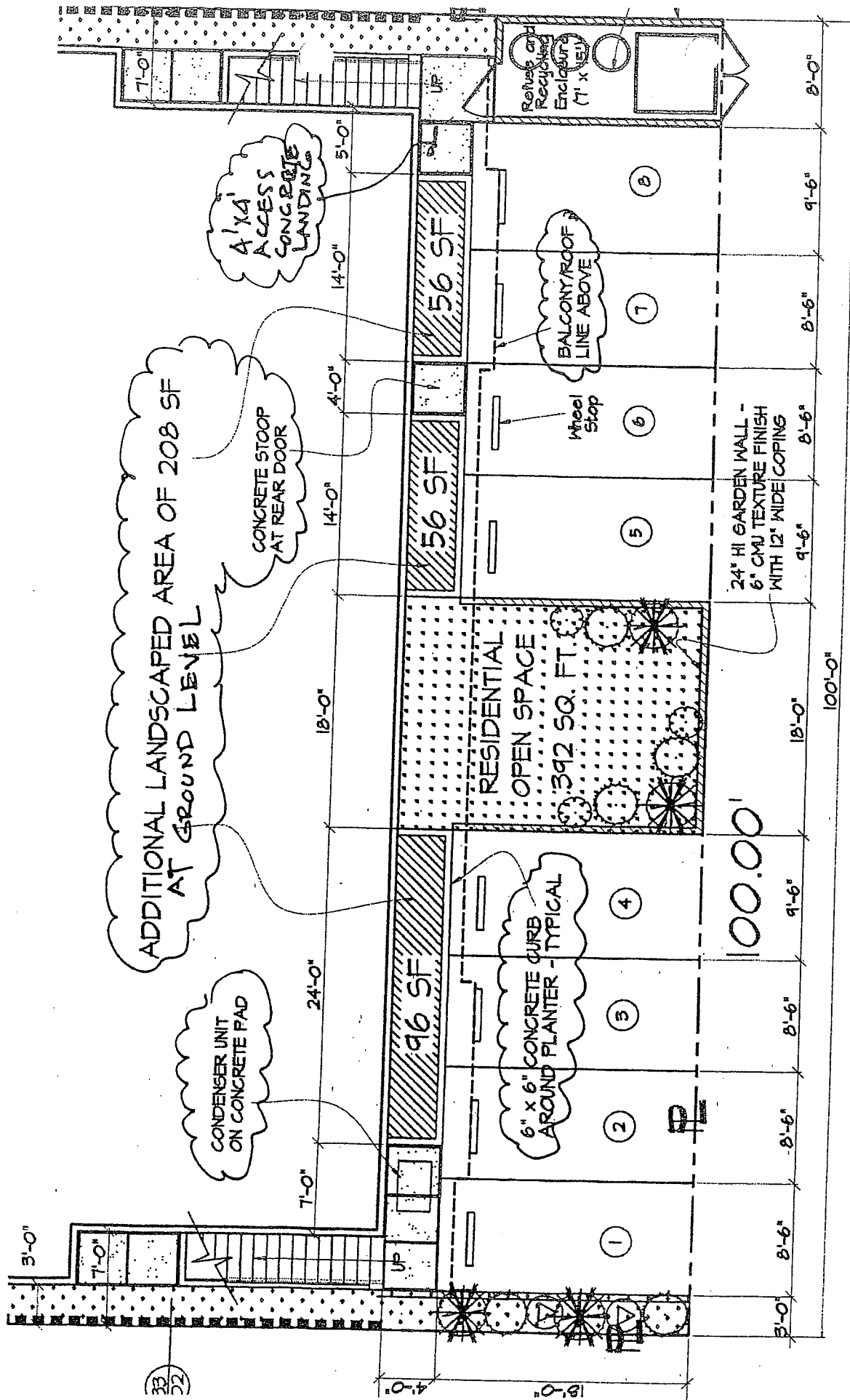
ORIGINALLY PROPOSED LANDSCAPED AREA = (231+103+70+260+307+392+240 Planter Boxes at 2nd Flr)

ORIGINALLY PROPOSED LANDSCAPED AREA = 1,603 SQ FT

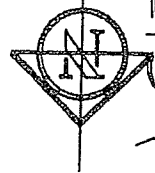
Planter Boxes at 2nd Floor to be removed = 30 + 140 + 30 SQ FT = 200 SQ FT

REVISED LANDSCAPED AREA = (231+103+70+260+307+392+40 Planter Boxes at 2nd Flr) = 1,403 SQ FT
PROPOSED ADDITIONAL LANDSCAPED AREA AT REAR YARD = 96 + 56 + 56 = 208 SQ FT
(SEE REVISED PARTIAL SITE PLAN)

TOTAL PROPOSED LANDSCAPED AREA = 1,403 + 208 = 1,611 SQ FT WHICH IS GREATER THAN
THE MIN REQTS OF 1,578 SQ FT.



ATL



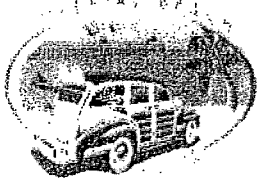
REVISED (PARTIAL) SITE PLAN

SCALE: 1" = 10'-0"

Return to Staff Report

Return to Agenda

AGENDA ITEM NO. _____



STAFF REPORT CITY OF IMPERIAL BEACH

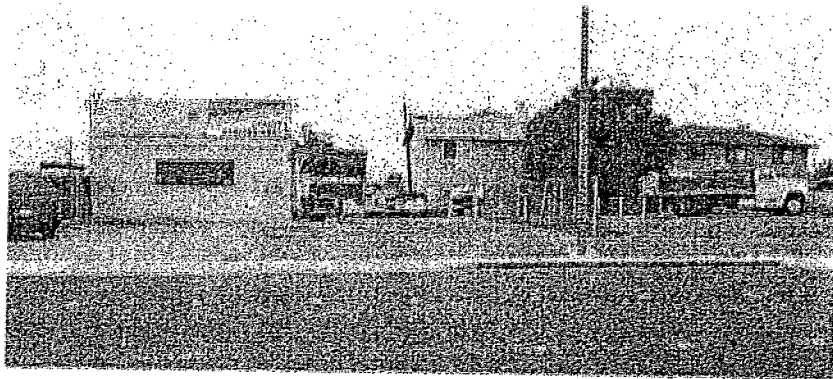
TO: DESIGN REVIEW BOARD
FROM: GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR
 JIM NAKAGAWA, AICP, CITY PLANNER
 ALIA KANANI, ASSISTANT PLANNER

MEETING DATE: OCTOBER 8, 2003
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: PUBLIC HEARING: George Braudaway/All Phase Drywall (applicant/property owner)/Nick Aljabi (architect); Conditional Use Permit (CUP 03-03), Design Review (DRC 03-10), Site Plan Review (SPR 03-09) for a mixed development with three retail commercial spaces and four residential units located at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone. MF 641.

PROJECT DESCRIPTION/BACKGROUND:

An application (MF 641) has been submitted for a Conditional Use Permit (CUP 03-03), Design Review (DRC 03-10) and Site Plan Review (SPR 03-09) for a mixed-use development consisting of 3,962 square feet of retail commercial space on the first floor and four residential units totaling 3,632 square feet above the first floor on a developed 11,680 square foot parcel (APN 633-022-17-00 and 633-022-18-00) at 1146 13th Street in the C-3 (Neighborhood Commercial) Zone. In the C-3 (Neighborhood Commercial) Zone, a mixed-use development project is subject to approval of a Conditional Use Permit (I.B.M.C 19.28.020). Since the project proposes commercial development and is located in one of the eight design corridors in the City, 13th Street, it is subject to design review by the Design Review Board (IBMC 19.83.020).



PROJECT EVALUATION/DISCUSSION:

The project site is 11,680 square foot lot in the shape of rectangle that fronts on the west side of 13th Street between Imperial Beach Boulevard and Fern Avenue. The property consists of a parking lot and a bar, Joe's Lariat, which is now vacant. The adjacent property to the north is a vacant lot for which a new mixed-used project (MF 616), approved by the City Council on June 4, 2003, will be constructed. The adjacent property to the south is an upholstery shop. Directly

across 13th Street from the site is The Office Club bar, a liquor store and a vacant building. Across from the alley is a residential neighborhood zoned R-3000 (Two-Family Residential).

General Plan/Zoning Consistency: The proposed development is subject to C-3 (Neighborhood Commercial) zoning requirements. The C-3 zone is intended to provide for businesses to meet the local neighborhood demand for commercial goods and services. It is intended that the dominant type of commercial activity in the zone will be neighborhood serving retail and office use such as markets, professional offices, personal services, restaurants and hardware stores (I.B.M.C. 19.28.010). The proposed project will provide three retail commercial spaces, which meets the intent of the land use designation.

Standards	Provided/Proposed
One dwelling per 2,000 square feet of lot area above the first floor	One dwelling unit per 2,920 square feet
There are no front, side and rear yard setbacks in the C-3 zone (Section 19.28.030)	Front yard: 52 feet Side yard: 3 feet Rear yard: 0 feet
Minimum lot size of 3,000 square feet (Section 19.28.040)	11,680 square foot parcel.
Minimum street frontage of 30 feet (Section 19.28.050).	13th Street frontage of 100 feet.
Maximum building height of two stories or 28 feet (Section 19.28.060)	28 feet.
Open space: 300 square feet per dwelling unit	Public open space: 971 square feet Private open space: 992 square feet
Commercial landscaping: not less than 15% of total site shall be landscaped and maintained (Section 19.50.030).	11,680 square feet total = 1,752 square feet of landscaping (15%) A 10% administrative adjustment may be given to reduce the total landscaping (175 square feet) = 1,578 square feet First floor landscaping = 1,363 square feet Second floor landscaping = 240 square feet Total = 1,603 square feet (13.7%) with 10% administrative adjustment
Required parking spaces for commercial, retail: one space for each two hundred fifty square feet of net floor area, plus one space per two employees (Section 19.48.050.I). Required parking spaces for residential dwelling units in the C-3 zone: 1.5 per dwelling unit (Section 19.48.030.C)	11 spaces including one handicapped space = one space for each two hundred fifty square feet of net floor area, plus one space per two employees (3 employee spaces) Six required spaces = 1.5 spaces per residential unit.
Freestanding sign in the C-3 zone: maximum area of 40 square feet, maximum height of eight feet and one sign per lot frontage (Section 19.52.050.B) Building signs in the C-3 zone: one square foot per lineal foot of wall face (Section 19.52.050.B)	One 40 square feet (20 square feet per sign face) sign, height of 7.6 feet Three building signs "Tenant" = 45 square feet (15 square feet each) One building sign "Braudaway Square" = 28 square feet 94 lineal feet of wall space Total building signs: 73 square feet

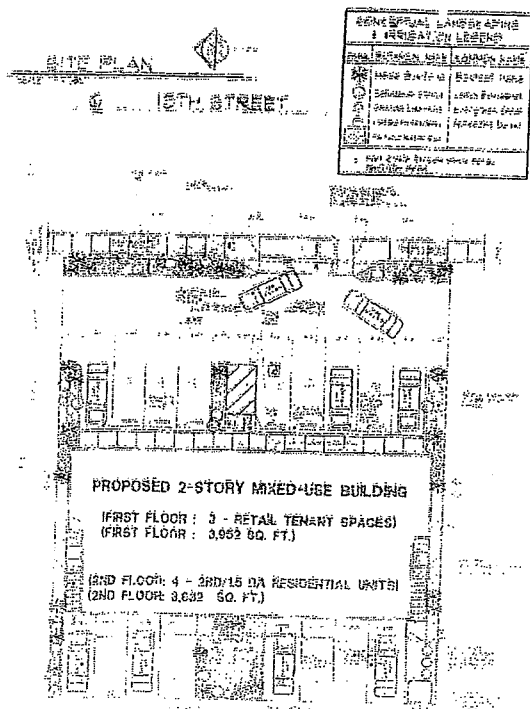
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Surrounding Land Use and Zoning

North:	C-3	Vacant
South:	C-3	Commercial
East:	C-3	Commercial
West:	R-3000	Residential

Design Review: This site fronts along 13th Street, a designated Design Corridor. The applicant's architect has proposed varied rooflines and architectural detailing and relief through the incorporation of building recesses and balconies. The applicant also proposes a variety of landscaping; including Boxleaf Hebe, Lemon Bottlebrush, Evergreen shrub, Spreading Sunset and "Tall Fescue" lawn grass, in front of the commercial space. Landscaping will also be located in the residential open space off the alley, along the north and south side of the building, and in planter boxes on the second floor. The overall design of the building should contribute positively in making an architectural statement along 13th Street. Many of the existing buildings in the area are older structures.

Parking for the commercial and residential units will be located in two on-site locations. The commercial retail unit is required to have 11 parking spaces including one handicapped parking space. The required handicapped space and eight spaces for the commercial space will be located in the front of the building off of 13th Street. Two parking spaces for employee parking will be located off the alley. The six parking spaces provided for the residential units are also located off the alley and access to these parking spaces is from the alley.



The trash and recycling enclosure for both the commercial space and the residential units is located behind the rear stairwell off the alley.

The commercial space will be accessible from 13th Street on the first floor. There are two doors, on the west elevation, that provide access to the trash enclosure from the middle commercial unit on the first floor. The exterior commercial units have access to the trash enclosure from doors on the north and south sides of the building respectively. The access for the residential units, via two sets of stairways on the north and south to the second floor, is from the rear of the building (alley).

The City is requiring new development to conform to the new state water quality/urban runoff requirements (SDRWQCB Order 2001-01). Plans for new development will now need to show drainage patterns to demonstrate how storm water will be directed to landscaped areas (bioswales) or to filters

before it is discharged into the city's storm sewers or to the beach. Prior to City Council approval, the grading and drainage plans for this project will need to show such compliance.

ENVIRONMENTAL IMPACT: This project may be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 as a Class 3(c) project (New Construction).

COASTAL JURISDICTION: The project is not located in the Coastal Zone, and, therefore, the City would not need to consider evaluating the project with respect to conformity with coastal permit findings.

FISCAL ANALYSIS:

The applicant has deposited \$3,500.00 in Project Account Number 261-641 to fund the processing of this application.

DEPARTMENT RECOMMENDATION:

Adopt DRB Resolution No. 2003-07, recommending conditional approval to the City Council of Design Review (DRC 03-10), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

Alia Kanani
Assistant Planner

Attachments:

1. DRB Resolution No. 2003-07
2. DRB Checklist
3. Plans

c: file MF 615
George Braudaway, P.O. Box 643, Imperial Beach, CA 91933
Nick Aljabi Nick Aljabi, Aljabi Architecture, 9127 Grossmont Blvd., La Mesa, CA 91941
Greg Wade, Community Development Director
Jim Nakagawa, City Planner
Hank Levien, Public Works Director
Bob Ghiloni, Deputy Building Official/Fire Marshall

Return to Agenda

DRB RESOLUTION NO. 2003-07

**A RESOLUTION OF THE DESIGN REVIEW BOARD OF
THE CITY OF IMPERIAL BEACH, CALIFORNIA,
RECOMMENDING APPROVAL OF A DESIGN REVIEW (DRC 03-10) FOR A MIXED-USE
DEVELOPMENT WITH THREE RETAIL COMMERCIAL SPACES AND FOUR RESIDENTIAL
UNITS LOCATED AT 1146 13TH STREET IN THE C-3 ZONE. MF 641**

APPLICANT: GEORGE BRAUDAWAY (OWNER)/NICK ALJABI (ARCHITECT)

WHEREAS, on October 8, 2003, the Design Review Board of the City of Imperial Beach held a duly noticed public meeting to consider the merits of approving or denying an application for Design Review (DRC 03-10) for a mixed-use development consisting of three retail commercial spaces on the first floor and four residential units above the first floor, in the C-3 (Neighborhood Commercial) Zone, on a site legally described as follows:

Lots 35, 36, 37 and 38, inclusive in Block 2 of Imperial Beach Park, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 1994, filed in the Office of the County Recorder of San Diego County, February 1, 1927; excepting therefrom the Easterly 10 feet thereof.

WHEREAS, the appearance of open spaces, buildings and structures visible from public streets has a material and substantial relationship to property values and the taxable value of property; and,

WHEREAS, many neighborhoods in other urban communities have deteriorated in the past by reason of poor planning, neglect of property, design standards and the erection of buildings and structures unsuitable to, and incompatible with, the character of the neighborhood, resulting in poor design, possible reduction of property values and the impairment of the public health, safety and welfare therein; and,

WHEREAS, it is the policy of the City to avoid and prevent community deterioration pursuant to the provisions of Chapter 19.83 of the City of Imperial Beach Municipal Code; and,

WHEREAS, this project, as designed, is subject to Design Review pursuant to Section 19.83.020.A.1.b of the City of Imperial Beach Municipal Code; and,

WHEREAS, the project design of a mixed-use development consisting of three retail commercial spaces on the first floor and four residential units above the first floor is compatible with other developments in the vicinity which consist of approved mixed-use development (MF 615) to the north, an upholstery shop to the south, commercial buildings to the east and a residential neighborhood to the west, and, therefore, would be consistent with Policy D-8 of the Design Element of the General Plan; and,

WHEREAS, this project complies with the requirements of the California Environmental Quality (CEQA) as this project is categorically exempt pursuant to the CEQA Guidelines Section 15303 as a Class 3(c) project (New Construction); and

WHEREAS, the Design Review Board considered the consistency of the project with the Design Review Consistency Checklist, which is based upon the Design Review Manual and Design Review Guidelines adopted by the City Council on June 19, 1984, and public testimony.

NOW, THEREFORE, IT BE RESOLVED by the Design Review Board of the City of Imperial Beach that Design Review (DRC) 03-10 is hereby conditionally recommended for approval to the City Council, based upon the plans on file in the Community Development Department, based upon public testimony, and based upon findings and conditions of approval contained herein and the Design Review Consistency Checklist (Exhibit A).

CONDITIONS OF APPROVAL

A. PLANNING/BUILDING:

1. **Drainage:** The City is requiring new development to conform to the new state water quality/urban runoff requirements (SDRWQCB Order 2001-01). Plans for new development will now need to show drainage patterns to demonstrate how storm water will be directed to landscaped areas (bioswales) or to filters before it is discharged into the city's storm sewers or to the beach. Prior to a City Council hearing, the final grading and drainage plans for this project will need to show such compliance as identified in the September 25, 2003 letter. Applicant needs to complete a Form 7-B.

C. PUBLIC WORKS:

2. Ensure that the hot water tank P.T. discharge pipes are piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01
3. Ensure that no building roof or landscape water drains are piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
4. Construct the driveway approach(es) on 13th Street to comply with Regional Standard Drawing G-14A. Sidewalk cuts must coincide with the existing sidewalk 5-foot sections. A sidewalk section cannot be cut into smaller sections. Likewise if the Curb & Gutter is to be cut in order to comply with Regional Standard Drawing G-14A, the reconstruction must not leave an existing curb and gutter section less than 9 feet in length. Note: The construction of an ADA compliant driveway approach will require a grant of easement to the City for this construction.
5. Replace 80-feet of broken curb & gutter adjacent to the project site.
6. For alley, sidewalk or curb & gutter replacement ensure compliance with San Diego Regional Standard Drawing G-11 in that, the "Area to be removed [must be] 5' or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5-feet. Where the distance from "Area to be removed", to existing

joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge or score mark.

7. Ensure constructed refuse storage enclosure is constructed in accordance with I.B.M.C. 19.74.090. Ensure trash enclosure is sized to include recycling containers as well as refuse containers.
8. Install survey monuments on northeast property line and southeast property line in or adjacent to the sidewalk. Record same with county office of records
9. For any work to be performed in the street or alley, submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or CALTRANS Traffic Control Manual.
10. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in the street trench. Asphalt shall be AR4000 ½ mix (hot).
11. If it is necessary to cut into the alley pavement as part of this project, all concrete cuts in the alley must be replaced with #4 rebar dowels positioned every 1 foot on center. Concrete specification must be 560-C-3250. Concrete cuts must also comply with item 4 above and terminate at least 18-inches before or beyond the alley flow line.
12. In accordance with I.B.M.C. 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.
13. Recommend applicant agree to underground all utilities in accordance with I.B.M.C. 13.08.060.
14. Advise the property owner that he/she must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant must provide the following documents to the City of Imperial Beach following before project may begin work:
 - A checklist of selected BMPs and location of the BMPs on project plans for review by the City – JURMP Form 7-B and Table 7-3.
 - Certification of intent to maintain selected BMPs – JURMP Form 7-B.
 - A Storm Water Management Plan JURMP (Form 7-B).
15. Additionally these BMP practices shall include but are not limited to: Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances:

a.32

- All recyclable construction waste must be properly recycled and not disposed in the landfill.
- Water used on site must be prevented from entering the storm drain conveyance system (i.e. streets, gutters, alley, storm drain ditches, storm drain pipes).
- All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
- Erosion control - All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system

23. Advise the property owner that as of January 1, 2000, any disposal/transportation of solid waste / construction waste in roll off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.

D. Public Safety:

24. 1-2A10BC extinguisher located on each entry deck of residential units clearly marked 22" X 36" attic access in each unit. Also on or near a door and at the bottom of the stairs. Smoke detectors are required in each sleeping room and in corridor leading to sleeping room. All smoke detectors shall be wired to building wiring.
25. Commercial retail—all units need to be clearly marked and visible from street and alley. 1-2A10BC extinguishers required in each unit and Knox box required near exit.
26. Residential and Commercial—Require all utilities, gas, electric and water to be individually marked per unit number. All address need to be clearly visible from street and alley.

PASSED AND ADOPTED, by the Design Review Board of the City of Imperial Beach at a regular meeting of the Design Review Board held this 8th day of October 2003, by the following vote to wit:

AYES:	BOARDMEMBER:
NOES:	BOARDMEMBER:
ABSTAIN:	BOARDMEMBER:
ABSENT:	BOARDMEMBER:

SHIRLEY NAKAWATASE; CHAIR

ATTEST:

ERIK KIM-HOLMGREN
COMMUNITY DEVELOPMENT SECRETARY

DESIGN REVIEW COMPLIANCE CHECKLIST

Citywide Design Criteria

Applicant: Braudaway-All Phase

Project Address: 1146 13th St.

MF 641

C = Compliance N/C = Non Compliance N/A = Not Applicable

C N/C NA

A. RELATIONSHIP OF BUILDINGS TO SITE AND SURROUNDING AREA

1. The site should be planned to accomplish a desirable transition with the streetscape, and to provide for adequate planting, pedestrian movement, and parking areas.

2. Site planning should provide landscaped setbacks in scale with buildings, an inviting streetscape, usable open space areas, and buffering between properties.

3. Parking areas should be treated with decorative elements, such as, building wall extensions, plantings, trellises, surface patterns, berms or other innovative means to largely screen parking areas from view from public ways.

4. Whenever the natural or existing topography contributes to the amenity and utility of a proposed project, it should be preserved in a manner which enhances and accentuates the project. Modifications to the topography will be considered only when it can be determined that they will contribute to the amenity and utility of the project.

5. Architectural styles should be made compatible or integrated with adjacent buildings by such means as screens, site breaks, colors and materials.

6. Attractive landscape transition to surrounding properties should be provided.

7. Harmony in design elements, including texture, lines, and masses are required. Monotony shall be avoided. Contrasting design elements should be repeated where appropriate in a harmonious manner. For example, vertical elements contrast with general horizontal lines and should be used where appropriate to make a strong statement.

8. The height, bulk, mass and scale of each building should be compatible with its site and buildings expected to remain or be developed in the surrounding area. Monotony of architectural design is not encouraged.

9. A project proposed in an area deemed to be in a state of decline or blight infestation should be developed in a manner, which will establish and improve the aesthetic quality and character of the area.

B. BUILDING DESIGN, COLORS, AND MATERIALS

1. Evaluation of appearance of a project shall be based on the quality of its design and relationship to existing or future surroundings. Inappropriate, incompatible designs shall be avoided.

2. Existing and proposed structures on the same project site should be architecturally and functionally integrated.

3. Innovative and imaginative design and architecture should be encouraged, and inappropriate and monotonous design should be avoided.

4. Variations of building details, form, line, colors and materials, and setting

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should be employed to create visual interest.			
5. Monotony of design in single or multiple building projects should be avoided. Variation of detail, form, and siting should be used to provide visual interest. In multiple building projects, variable siting of individual buildings may be used to prevent a monotonous appearance. Variation in wall plan, roof line and direction, materials and color may be used to prevent a monotonous appearance in buildings. Wall plan variation is recommended to reduce scale and bulk and may often be simple provided by building projections, bay windows, and balconies. Color and landscape materials may be used to accent the variation.	✓		
6. Window trim, pop-outs, dormers, bay windows, and other features are encouraged to provide exterior variation in wall plan and materials.	✓		
7. New building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationship to one another and with wall masses.	✓		
8. The architectural theme employed on a particular building should normally be executed on all exterior surfaces.	✓		
9. In any design in which the structural frame is exposed to view, materials and finishes should be selected for architectural harmony or enhancements of the theme, as well as aesthetic quality, durability, and ease of maintenance.	✓		
10. Exterior colors which are harmonious and contribute to the aesthetic quality of the project should be selected.	✓		
11. Colors shall be harmonious yet color contrast or contrasting tone is encouraged to emphasize architectural detail (see examples in Planning Department). Fluorescent paints and garish colors should be avoided.	✓		
12. Materials and colors should be varied where appropriate to provide architectural interest. However, material and color combinations should be repeated where necessary to provide contrast and harmony (visual order) to the building. The number of materials should not exceed what is required for contrast and accent or architectural features and may generally be limited to three.	✓		
13. Building materials should not stop abruptly at corners but continue from front to side elevations.	✓		
14. Parapet walls/mansard roofs should not stop at short distances on side elevations, but should continue to visually unify all building elevations, as appropriate.			✓
15. Blank walls should be avoided by the use of windows, variation of surface plan and materials, and use of shrubbery or trees as landscape screening.	✓		
16. Mechanical equipment, including solar collectors and panels, or other utility hardware on roof, ground, or buildings should be screened from public view with materials harmonious with the building, or they should be located so as not to be visible from any public ways.	✓		
17. Metal fixtures, trims, and devices, exposed to the ocean environment			✓

DESIGN REVIEW COMPLIANCE CHECKLIST

Citywide Design Criteria

MF 641

Applicant: Braudaway-All Phase

Project Address: 1146 13th St.**C = Compliance N/C = Non Compliance N/A = Not Applicable****C****NC****NA**

are subject to abnormally high corrosion and are discouraged.

18. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, should be conducive to easy maintenance and upkeep.

19. Materials and finishes should be selected for their durability and wear as well as for their beauty. Property measures and devices should be incorporated for protection against the elements, neglect, damage and abuse.

C. LANDSCAPE IMPROVEMENTS AND EXTERIOR LIGHTING

Landscape elements included in this criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures.

1. An inviting atmosphere should be created in pedestrian oriented areas through the use of landscaping, walls, fencing, seating, plazas, statues, fountains, and other design features.

2. Grades of walks, parking spaces, terraces, and other paved area should provide an inviting and stable appearance for walking and, if seating is provided, for sitting.

3. Landscape treatment should be provided to enhance architectural features, strengthen vistas and important axis, and provide shade, privacy and buffering, soften large surfaces and paved areas, and accent points of interest. Where practical, existing trees and drought tolerant plants should be preserved and included in the planning and design of the site.

4. Unity of design should be achieved by repetition of certain plant varieties and other materials, and by correlation with adjacent developments, where appropriate.

5. Plant material should be selected for interest in its structure, texture, and color and for its ultimate growth.

6. In locations where plants will be susceptible to injury by pedestrian or motor traffic, or other environmental hazards, they should be protected by appropriate curbs, tree guards, or other devices.

7. Service and storage yards, trash collection areas, exterior work areas, and other places which tend to be unsightly, should be screened by use of walls, fencing, planting, or by combinations of these.

8. In areas where general planting does not prosper, other materials such as fences, walls, trellises and pavings of wood, brick, stone, gravel, and cobbles, should be used. Carefully selected plants should be combined with such materials where possible. Materials should be harmonious with building materials.

9. All plant materials should be selected, arranged, and installed in accordance with sound horticultural and landscape architectural practices per landscape and irrigation plans.

10. Color and texture of landscape elements should be coordinated with color and texture of building materials. Coarse textures and darker or brighter colors

DESIGN REVIEW COMPLIANCE CHECKLIST

Citywide Design Criteria

MF 641

Applicant: Braudaway-All Phase

Project Address: 1146 13th St.**C = Compliance N/C = Non Compliance N/A = Not Applicable****C****N/C****N/A**

may be used where appropriate to reduce perceived distance and size. Fine textures and light or greyed colors may be used for the opposite effect where appropriate.

11. Miscellaneous structures (i.e., structures other than buildings: sign posts, railings, etc.) and street furniture located on private property should be designed to be integrated with, or harmonious with, the architectural building and landscape design proposed for the site. Materials should be durable and compatible with buildings and surroundings in color and scale.

12. Exterior lighting should be designed to enhance the architecture of the building and landscape and shall be restrained in color and brightness. Light standards and fixtures shall be architecturally compatible and scaled to the buildings with consideration for energy efficiency.

D. SIGN CRITERIA

(The same criteria applicable to wall signs shall apply to monument signs.)
Project, as conditioned

1. Signs should be designed as supportive elements to land use. They should be used primarily to identify businesses, professional offices and public and quasi-public facilities.

2. Signs should be compatible with the nature, scale, character, and design of the locale and land uses they serve.

3. Signs should be part of the architectural concept. Size, color, lettering, locations, and arrangement shall be harmonious with the building design, and shall be compatible with approved signs on adjoining buildings. Signs shall have good proportion.

4. Colors should be used harmoniously and with restraint. Lighting should be harmonious with the design. If external spot or floodlighting is used, it shall be arranged so that light source is shielded from view.

5. Identification and directory signs should manifest a high degree of artistic order and taste, as well as legibility.

6. Signs should be characterized by restraint. Where practical and practicable, artistic graphics and fine art displays should be used in lieu of "commercial" signs.

7. Signs should place considerable emphasis upon color, harmony, size, shapes, letters, materials and character.

E. CIRCULATION AND PARKING

1. It is recommended that parking areas be screened from view by the use of landscaping, walls, buildings, or other innovative and decorative concepts.

2. Parking areas and trafficways should be enhanced with landscaped spaces containing trees or tree groupings which shall be adequately irrigated and maintained. Shrubs should be used only where they will not obscure vision.

3. The placement of trees in parkways or paved areas is encouraged.

DESIGN REVIEW COMPLIANCE CHECKLIST

Citywide Design Criteria

MF 641

Applicant: Braudaway-All Phase

Project Address: 1146 13th St.**C = Compliance N/C = Non Compliance N/A = Not Applicable****C NC NA**

4. Vine covered trellises should be provided where appropriate to provide shading and buffering of open parking areas, particularly where tree planting is not provided.			✓
5. Parking bays located between the building and the street should be separated from buildings by landscaped areas or protected walkways.	✓		
6. The mass of large parking areas should be improved through the employment of landscaping, textural variation, or structural interruption (i.e., walls and trellises). Variation of paving material, texture and color is recommended where pedestrian and vehicular areas overlap. The use of stamped concrete, stone, brick or granite pavers, exposed aggregate, colored concrete or other methods to divide or improve the effect of large expanses of pavement is encouraged.			✓
7. Onsite circulation shall be designed to promote adequate security, police and fire protection; and, to facilitate postal delivery, moving, trash collection and trades services.	✓		
8. The layout of offstreet parking areas and onsite circulation systems should place emphasis on: A) Convenience and proximity to the units served.	✓		
B) Safety.	✓		
C) Screening and separation of buffering from common uses areas, residential units and recreation areas.	✓		
9. Directional signs and graphics should be used to promote public safety and convenience.		✓	
10. Loading, unloading, and delivery service operations should be preplanned. Parking layouts should clearly indicate that these operations would not adversely affect customer parking or access.	✓		
11. The plans of major commercial centers shall be responsive to the physical requirements of public transportation and should provide the requisite pedestrian ways, bus stops, benches, and shelter.	✓		
12. Secure bicycle parking facilities are encouraged.			✓
13. Public or commercial parking areas should be designed for convenience and, where feasible, should be directly accessible from two streets, or a street and an alley.	✓		
14. Pedestrian ways within commercial parking areas should be protected from vehicular movements by landscaped areas, curbs, or posts.	✓		
15. In multiple family developments, it shall be considered undesirable to located off street parking areas between the buildings and the street. In cases where this design solution is utilized by the Architectural Design Review Advisory Committee, the parking areas should be screened from view. Parking shall be considered between buildings and streets where it does not detract from otherwise exceptional design and neighborhood amenities.	✓		
16. It is recommended that all parking or maneuvering areas which are perpendicular to building walls be separated by landscaped areas.	✓		

DESIGN REVIEW COMPLIANCE CHECKLIST

Citywide Design Criteria

MF 641

Applicant: Braudaway-All Phase

Project Address: 1146 13th St.**C = Compliance N/C = Non Compliance N/A = Not Applicable****C****N/C****N/A****F. MULTIPLE-FAMILY RESIDENTIAL ENVIRONMENT**

1. Multiple family dwelling developers should place cardinal emphasis on the protection of residential privacy. Privacy requires sensitive structural and landscaping design, and effective sound-proofing. It is also dependent upon the selection of proper building, screening, and landscaping materials.	✓		
2. The site development and design of multi-family development should be coordinated with that of existing or potential adjoining and adjacent development. The project design should be consistent with the standards of good site planning and spatial relationships.	✓		
3. The landscape of a multi-family dwelling should be oriented towards the establishment and maintenance of a high order of on and off site environmental and aesthetic quality.	✓		
4. The design of all multiple units should promote good circulation, adequate exterior lighting and noise protection. The said design should minimize hazards, and optimize energy conservation. Solar orientation should be considered to reduce heating requirements.	✓		
5. Each building site upon which a multi-family project is developed shall provide landscaping and usable open space. The space developed to landscaping may be improved with textured flooring, fountains, ponds, kiosks, and sculpture, as well as plant material.	✓		
6. Where practicable, large multi-family developments should provide a variety of building sizes and arrangements.			✓
7. Multiple-family dwelling development shall provide their residents private and/or common open space. Private open space may take the form of patios, balconies, courtyards (atria), or gardens. The establishment of game rooms, children's play areas, meeting rooms, and roof gardens should be encouraged where appropriate.	✓		
8. Usable open space required by the zoning ordinance should be distributed throughout the project site.	✓		
9. Noise effects on and from all common and private open space should be buffered by fences, walls, and/or barriers, which block the line-of-site of the noise source.	✓		
10. Indoor-outdoor integration can be promoted in projects by the use of large windows and sliding glass doors in conjunction with patios, balconies, and courtyards. The said windows and doors, however, should be effectively shuttered or draped in order to prevent substantial night-time energy losses.	✓		
11. Common open space should be provided in large areas if feasible. Large areas of open space can be imaginatively landscaped, well utilized, and economically maintained.	✓		

DESIGN REVIEW BOARD COMMITTEE MINUTES
CITY OF IMPERIAL BEACH
WEDNESDAY, October 8, 2003
Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, California

Return to Staff Report

ROLL TO ORDER.

4:15 PM, October 8, 2003

ROLL CALL.

PRESENT: Tom Schaaf, Emily Young, Brian Jones, Shirley Nakawatase, Troy Wilson
 ABSENT: None

STAFF PRESENT: City Planner, Jim Nakagawa; Asst. City Planner, Alia Kanani; Admin. Sec., Erik Kim-Holmgren

MINUTE CALENDAR.

re

PROVAL OF MINUTES.**M #1**

Minutes for meeting date: September 10, 2003

MOTION MADE BY SCHAAF, SECONDED BY YOUNG TO APPROVE MINUTES FOR SEPTEMBER 10, 2003

Minutes approved for 9/10/03 by the following:

AYES: JONES, SCHAAF, YOUNG
 NOES: NONE
 ABSENT: NONE
 ABSTAIN: NAKAWATASE, WILSON

BUSINESS FROM THE PUBLIC.

None.

BUSINESS FROM THE COMMUNITY DEVELOPMENT DEPARTMENT.**A #2**

DRC 03-10: 1146 13th Street – Design Review for a mixed development with three retail commercial spaces and four residential units.

Alia Kanani, Assistant Planner for the Community Development Department, informed the Board that this project before the Board is very similar to the one at 1126 13th Street, because it was designed by the same architect and has the same floor plan.

It will be a mixed-use project featuring three commercial retail units on the first floor and four residential units on the second floor. The developer is George Braudaway and the architect is Nick Aljabi.

After the conclusion of the staff presentation, the Board members viewed and compared the elevations and site plans of both 1126 and 1146 13th Street.

Board Member Jones asked Staff whether there are any design guidelines in the General Plan regarding buildings of the same design being next to each other.

Jim Nakagawa, Planner for the Community Development Department, responded by stating that buildings should be given unique aspects to add visual interest but should also maintain a continuity to visually blend into the surrounding neighborhood.

Discussion ensued regarding the color scheme of the building.

The meeting is open to the public.

The Board asks the applicant, George Braudaway, about his choice of colors, his choice of roofing materials and where he will store the trash dumpster.

Mr. Braudaway stated that the roof will be tile, the dumpster will be next to the neighboring property's (1126 13th Street) dumpster and that the colors will be similar to the building at 1126 13th Street so that it visually fits-in, but different enough so that it will be visually distinct.

Chair Nakawatase closed the meeting to the public and opened the discussion among DRB members.

Discussion ensued regarding the building color.

Chair Nakawatase reopens the meeting to the public.

The Board asked Mr. Braudaway for clarification on the building's colors and asked whether the applicant would be willing to change the colors.

Mr. Braudaway responded that he would be willing to change the building color.

Chair Nakawatase closed the meeting to the public and re-opened the discussion among DRB members.

Further discussion ensued regarding the building color and the signage.

The Board Members came to an agreement that the presented building wall colors and trim colors should be reversed to increase the contrast of the building.

Further discussion ensued regarding the signage.

Jim Nakagawa offered advice to the Board on the use of contrasting colors on the signs: for example light lettering on a dark background.

Discussion continued regarding the sign lettering colors.

The Board discussed the location of the trash dumpster enclosure.

The Board gave the applicant and staff direction on the sign color to stick with darker colors such as dark blue, burgundy, and dark green.

The final decision of the Board was as follows:

1. The building should be a darker tone with a lighter trim
2. The lettering on the signs should have deeper tones such as dark blue, burgundy, and dark green and will be finalized by the applicant and staff at a later time
3. The garbage enclosure will be shifted to the North so that it is adjacent to the garbage enclosure of 1126 13th Street
4. Landscaping will be planted so that it provides sufficient protection to the monument sign

MOTION MADE BY SCHAAF, SECONDED BY YOUNG TO APPROVE PROJECT AS PRESENTED WITH STAFF'S INPUT AND REVIEW OF SIDEWALK.

AYES: NAKAWATASE, SCHAAF, WILSON, YOUNG, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

ADDITIONAL ITEMS DISCUSSED:

Mr. Nakawatase instructed staff to contact the owners of 1126 13th Street to let them know of the signage decision of letter colors made by the Board in regard to 1146 13th Street and that the letter should encourage the owners to adopt same standards for their project.

ADJOURNMENT. 5:45 PM

Approved

Shirley Nakawatase, DRB Chairperson

st

Kim-Holmgren, Secretary

RECEIVED

2009 MAY 19 AM 9:29

LYNN RAE
CITY CLERK

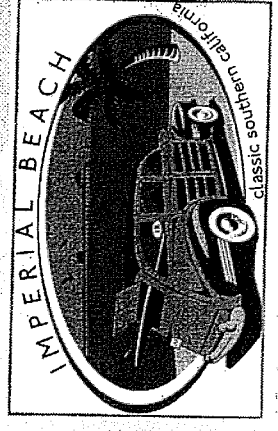
5/20/09 City Minute Agenda Info b.1
Item 5.1

5/2/08 Item #6.1
Powerpoint Presentation
by: Alia Kanani

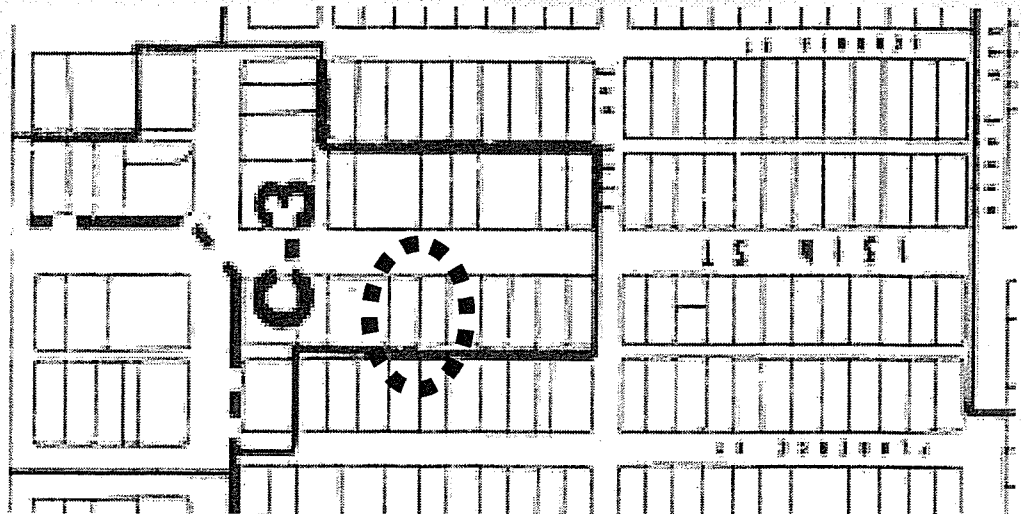
MF 641-1146 13th Street

Project Description:

- Conditional Use Permit (CUP 03-03), Design Review (DRC 03-10) and Site Plan Review (SPR 03-09) for a mixed-use development consisting of three retail commercial spaces on first floor and four residential units above the first floor
- Applicant/Owner: Feras "Rusty" Barghout
- Architect: Nick Aljabi

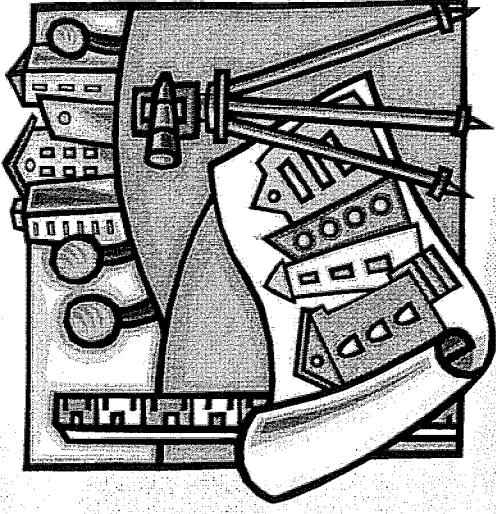


MF 641-1146 13th Street



■ C-3 Neighborhood Commercial Zone

■ I.B.M.C. 19.28.020 requires residential units above the first floor in the C-3 (Neighborhood Commercial) zone are subject to approval of a Conditional Use Permit



Project Statistics

- Conditional Use Permit (CUP 03-03), Design Review (03-10) and Site Plan Review (SPR 03-09)
- Three retail commercial spaces on first floor
- Four residential units above first floor
- 11, 680 square foot lot
- Similar to the Aljabi-Nona project (MF 615) at 1126 13th St. which was approved June 4, 2003 by the City Council

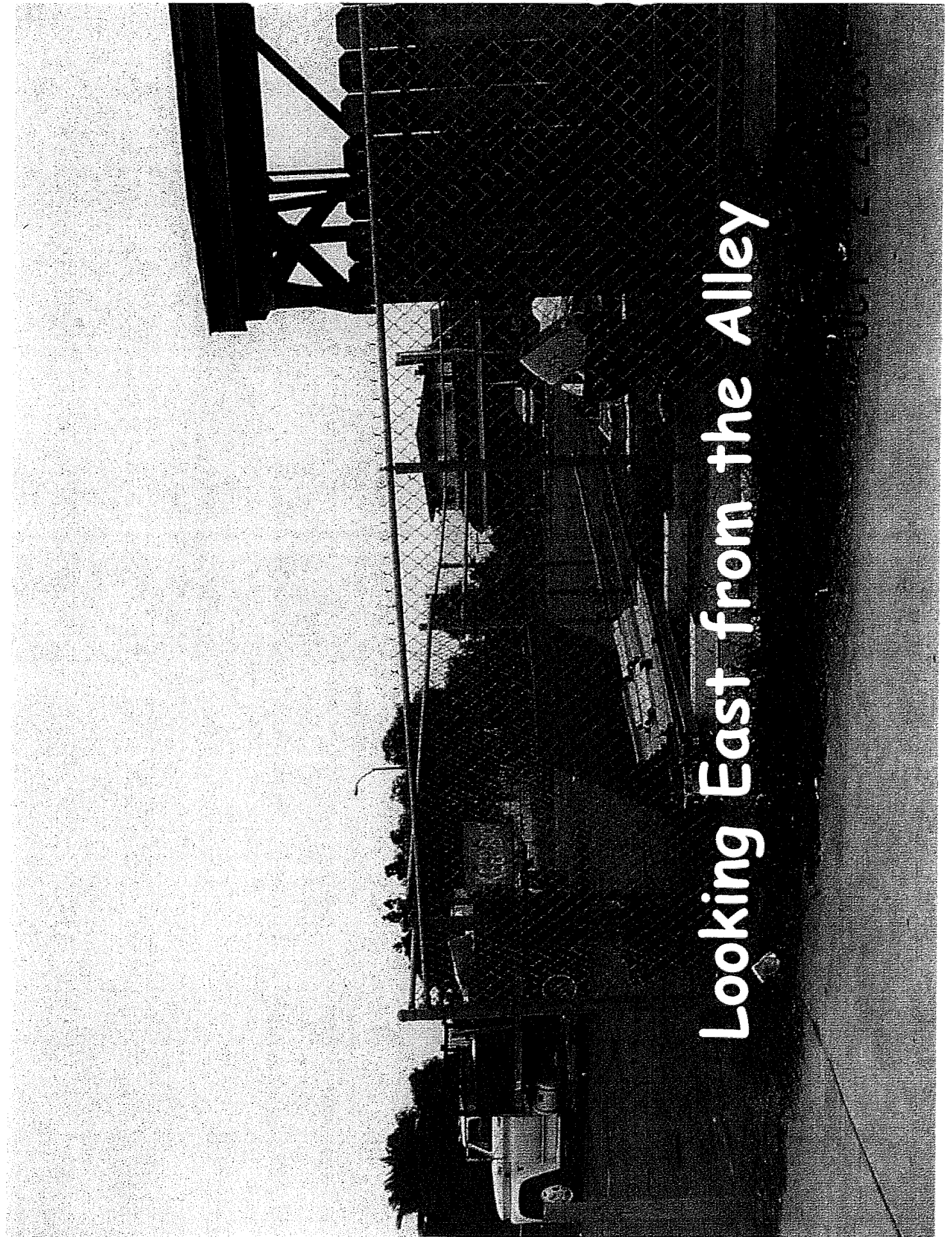
1126 13th St. (MF 615)



City Council approved "13th St. Market"
on June 4, 2003

MF 641-1146 13th Street

Site Location-Looking West

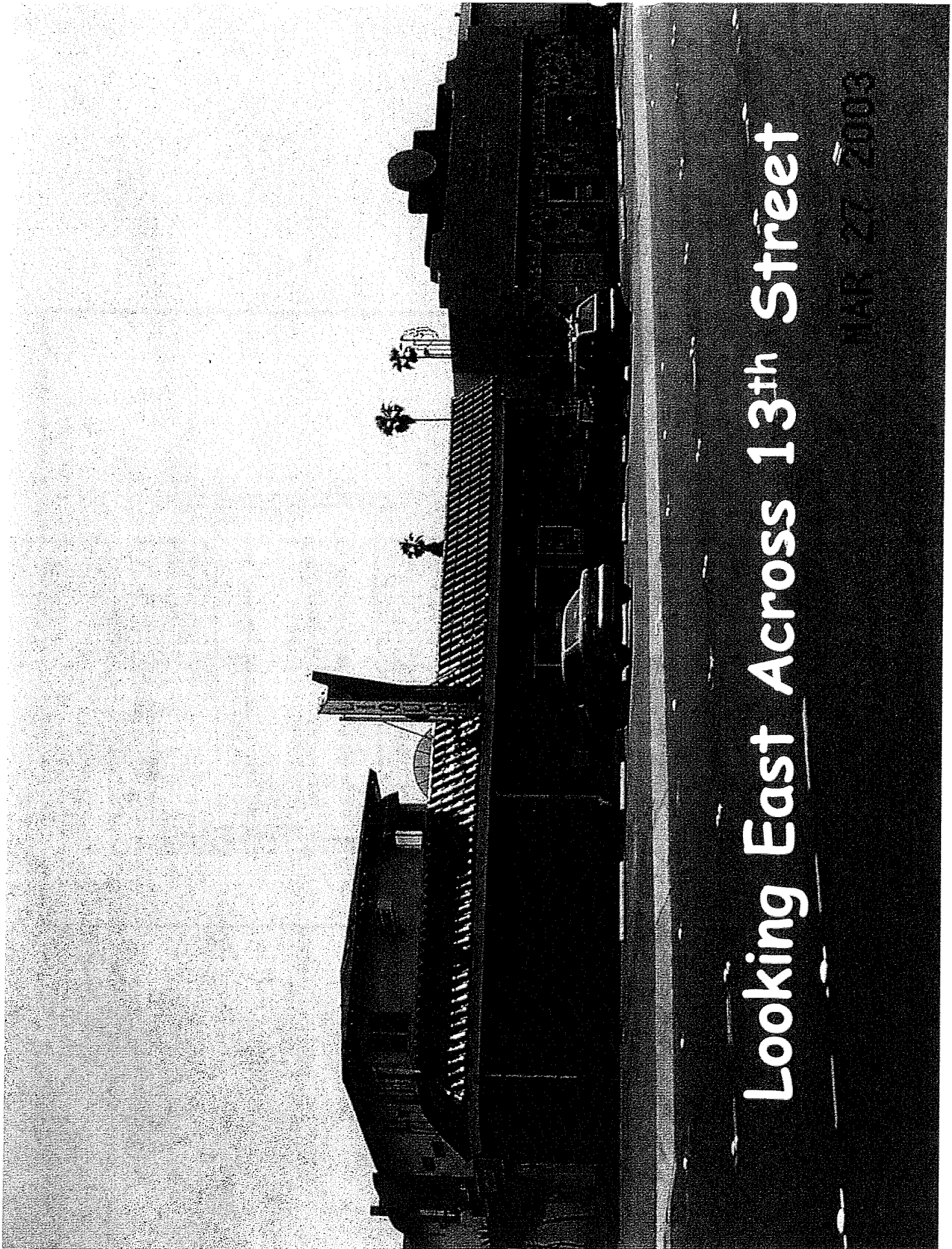


Looking East from the Alley

LARIAT
BAR - GRILL
BREAKFAST
LUNCH - DINNER
COCKTAILS



Looking South



Looking East Across 13th Street

MAR 27 2003

b.10



MF 641-1146 13th Street

Parking

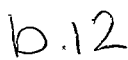
Commercial:

- 3, 962 square feet retail commercial space
- 11 parking spaces including one handicapped space = one space per 250 square feet of net floor area plus one space per two employees (three employee spaces)

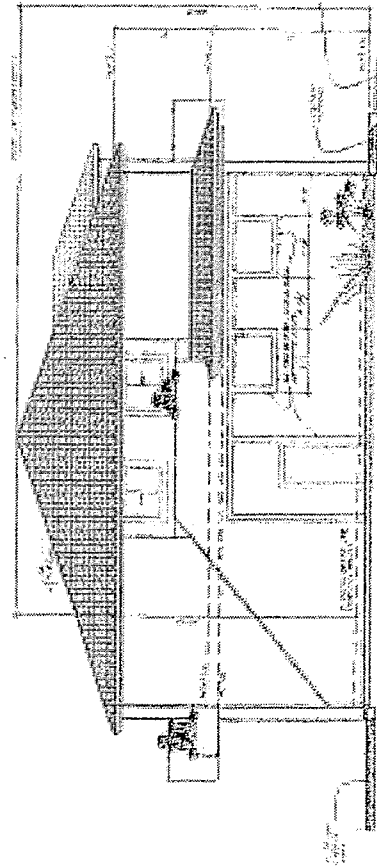
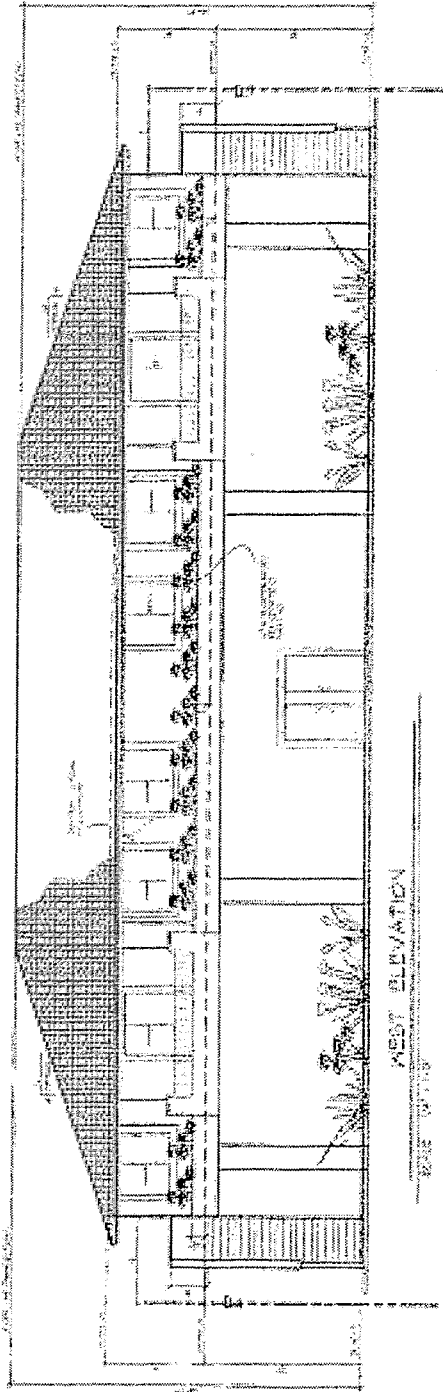
Residential:

- 3, 632 total square feet, four residential units
- Six residential parking spaces required = 1.5 spaces per residential units

b.12



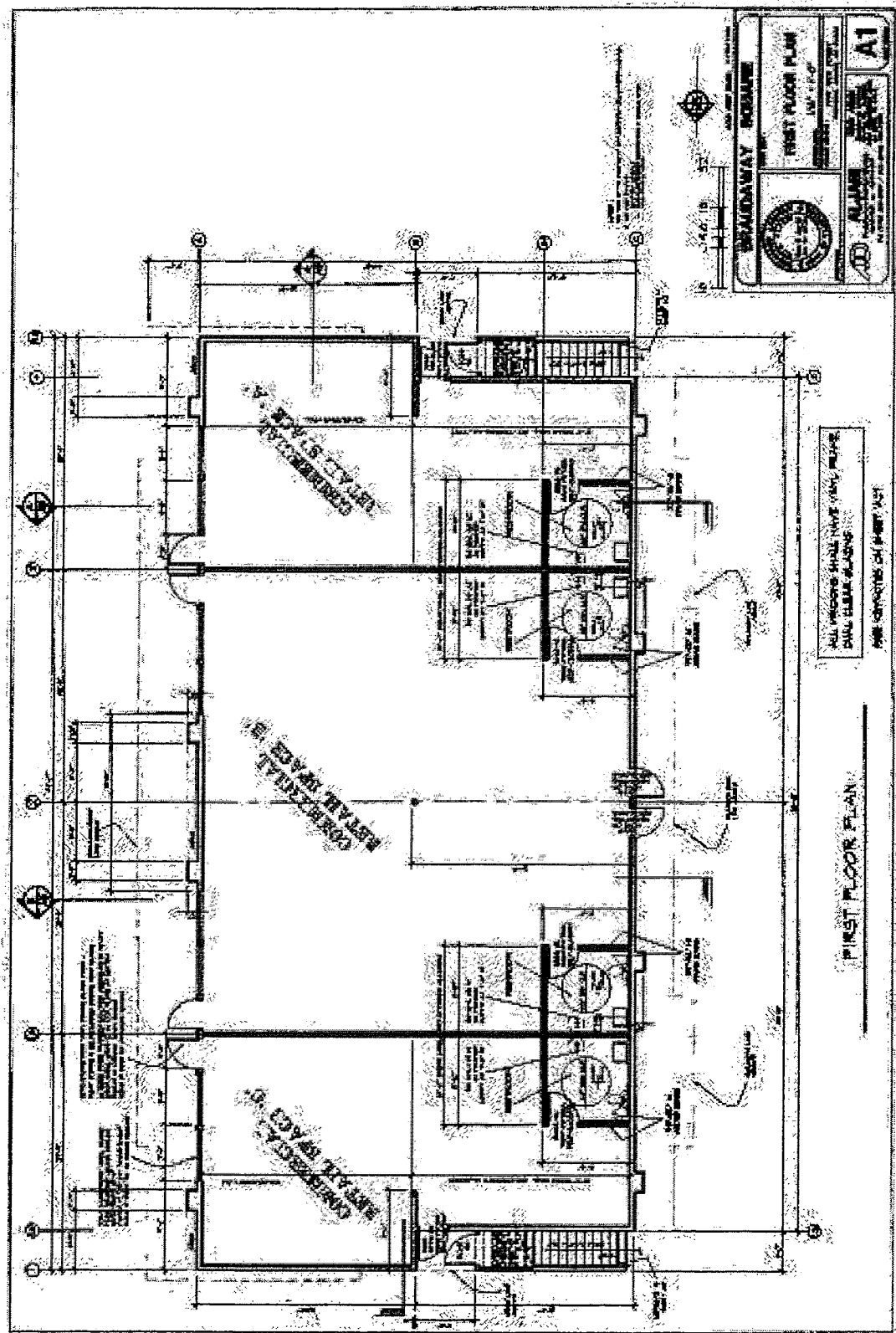
West and South Elevations



DATE 10/10/10
SOUTH ELEVATION
(NOTE: NORTH ELEVATION REFERENCE IMAGE)

BRADDAWAY SQUARE	
EXTENSION ELEVATIONS	
DATE 10/10/10	
A4	
JED ALJABE	
JED ALJABE	
JED ALJABE	

First Floor Plan-Retail Commercial



Design Review Board Recommendation:

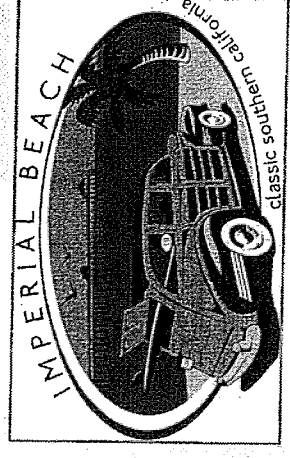
On October 8, 2003, the DRB recommended approval of the project design provided that:

1. The building should be a darker tone with a lighter trim.
2. The lettering on the signs should have deeper tones such as dark blue, burgundy, and dark green and will be finalized by the applicant and staff at a later time.
3. The garbage enclosure will be shifted to the North so that it is adjacent to the garbage enclosure of 1126 13th Street.
4. Landscaping will be planted so that it provides sufficient protection to the monument sign.

MF 641-1146 13th Street

Staff Recommendation:

1. Declare the public hearing open
2. Receive public testimony
3. Close the public hearing
4. Adopt Resolution No. 2005-6114, granting conditional approval of Conditional Use Permit (CUP 03-03), Design Review (DRC 03-10) and Site Plan Review (SPR 03-09), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.



RESOLUTION NO. 2005-6114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 03-03), SITE PLAN REVIEW (SPR 03-09), AND DESIGN REVIEW (DRC 03-10) FOR A MIXED-USE DEVELOPMENT WITH THREE RETAIL COMMERCIAL SPACES AND FOUR RESIDENTIAL UNITS LOCATED AT 1146 13th STREET IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE, MF 641

WHEREAS, on March 2, 2005, the City Council of the City of Imperial Beach held a duly advertised public hearing to consider the merits of approving or denying an application for a Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail three retail commercial spaces on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, on a site legally described as follows:

Lots 35, 36, 37 and 38, inclusive in Block 2 of Imperial Beach Park, in the City of Imperial Beach, County of San Diego, State of California, according to Map thereof No. 1994, filed in the Office of the County Recorder of San Diego County, February 1, 1927; excepting therefrom the Easterly 10 feet thereof.

WHEREAS, on October 8, 2003, the Design Review Board adopted DRB Resolution No. 2003-02 recommending approval of the project design; and

WHEREAS, the project design of a mixed-use development consisting of 3,962 square feet retail commercial space on the first floor and four residential units totaling 3,632 square feet above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, is compatible with other developments in the vicinity which consist of a mixed-use development to the north, an upholstery shop to the south, commercial buildings to the east and a residential neighborhood to the west, and, therefore, would be consistent with Policy D-8 (Project Design) of the Design Element of the General Plan; and,

WHEREAS, the City Council finds that the project is in substantial compliance with Policy L-4g of the Land Use Element of the General Plan, which promotes Thirteenth Street Commercial Areas (C-3) for pedestrian-oriented commercial uses that serve the neighborhood; and

WHEREAS, the City Council finds that the project is consistent with the C-3 (Neighborhood Commercial) Zone of the Zoning Ordinance, which promotes the local neighborhood demand for commercial goods and services; and

WHEREAS, this project complies with the requirements of the California Environmental Quality (CEQA) as this project is categorically exempt pursuant to the CEQA Guidelines Section 15303 as a Class 3(c) project (New Construction); and

WHEREAS, the City Council considered the information contained in the staff reports on this case and public testimony received on this case; and

WHEREAS, at the close of said meeting on March 2, 2005, a motion was duly made and seconded to approve Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, based upon the following findings and subject to the conditions of approval contained herein.

5/20/09 Item 5.1
Last Minute
Agenda Info

C.1

CONDITIONAL USE FINDINGS:

1. **The proposed use at the particular location is necessary or desirable to provide a service or facility, which will contribute to the general well being of the neighborhood or community.**

In the C-3 (Neighborhood Commercial) Zone, the intent of the zone is to promote the local neighborhood demand for commercial goods and services such as markets, professional offices, personal services, restaurants and hardware stores (IBMC 19.28.010). This project will provide additional retail commercial space in this area of 13th Street to meet the demands for goods in the surrounding neighborhood. This project will also provide additional housing, four units with off street parking, to meet the current housing demand. Also, the development of this project may encourage revitalization of the existing area, development of the nearby vacant lots and increase patronage to the surrounding businesses. Development of this project on a vacant lot may also decrease the amount of problems, such as vandalism and crime, associated with the vacant lots in the neighborhood.

2. **The proposed use will not, under any circumstances, of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.**

The proposed development, a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. In the Conditions of Approval, specific conditions have been set forth by the Community Development Department and the Public Works Department to mitigate the concerns such a development project may create.

3. **The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in the same zone.**

The proposed use will comply with the regulations and conditions specified in the title for such use and for other permitted uses in C-3 (Neighborhood Commercial) zone. The specific conditions that have been set forth by the Community Development Department will ensure that granting of the Conditional Use Permit will achieve compliance with zoning regulations.

4. **The granting of such conditional use permit will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.**

The granting of the conditional use permit for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, will be in harmony with the purpose and intent of the zoning code (IBMC 19.82.040.D), the adopted general plan. The site is not within the coastal zone. The following list of specific conditions of approval set forth by the Community Development Department and the Public Works Department will ensure that the granting of the Conditional Use Permit will achieve compliance.

SITE PLAN REVIEW FINDINGS:

5. **The proposed use does not have a detrimental effect upon the general health, welfare, safety and convenience of persons residing or working in the neighborhood, and is not detrimental or injurious to the value of property and improvements in the neighborhood.**

The applicant proposes a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, that would not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. The project proposes parking for the commercial and residential units will be located in two on-site locations. The commercial retail unit is required to have eleven parking spaces including one handicapped parking space. The required handicapped space and eight spaces for the commercial space will be located in the front of the building off of 13th Street. Two parking spaces for employee parking will be located off the alley. The six parking spaces provided for the residential units are also located off the alley and access to these parking spaces is from the alley. In the Conditions of Approval, specific conditions have been set forth by the Community Development Department and the Public Works Department to mitigate the concerns such a development project may create.

6. **The proposed use will not adversely affect the General Plan/Local Coastal Plan.**

The proposed mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street is consistent with the C-3 (Neighborhood Commercial) zone, which promotes the local neighborhood demand for commercial goods and services.

7. **The proposed use is compatible with other existing and proposed uses in the neighborhood.**

The subject site is in the "Neighborhood Commercial" zone, which encompasses 13th Street from Ebony Avenue to the north and Fern Avenue to the south. "Neighborhood Commercial" also encompasses Imperial Beach Boulevard. from Florence Street on the west to Georgia Street on the east. Within this area, commercial and residential uses vary in character, bulk, and scale. The proposed project is compatible with the established commercial and residential uses.

8. **The location, site layout and design of the proposed use properly orient the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner.**

This site fronts along 13th Street. The adjacent property to the north is a newly complete a mixed-use development, "13th Street Market," an upholstery shop to the south, commercial buildings to the east and a residential neighborhood to the west. Directly across 13th Street from the site are a liquor store, The Office Club bar and a resale business. Across from the alley is a residential neighborhood zoned R-3000 (Two-Family Residential). The project has varied rooflines and architectural detailing and relief through the incorporation of building recesses. The applicant also proposes a variety of landscaping; including Boxleaf Hebe, Lemon Bottlebrush, Evergreen shrub, Spreading Sunset and "Tall Fescue" lawn grass, in front of the commercial space. Landscaping will

also be located in the residential open space off the alley and along the north and south side of the building as proposed by the architect in the revised landscaping plans submitted on July 8, 2004. The overall design of the building should contribute positively in making an architectural statement along 13th Street. Many of the existing buildings in the area are older structures. The project shall properly orient the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner.

9. The combination and relationship of one proposed use to another on the site is properly integrated.

The project is a mixed-use development with a retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone. The combination and relationship of the commercial office space in relation to the residential units on the site is properly integrated.

10. Access to and parking for the proposed use will not create any undue traffic problems.

Parking access is from both 13th Street and the alley behind 13th Street. The commercial parking will be located in the front of the building off of 13th Street with employee parking off of the alley. The parking provided for the residential units is also located off the alley and access to these parking spaces is from the alley. The parking design will not create any undue traffic problems.

11. The project complies with all applicable provisions of Title 19.

The project is subject to compliance with the zoning requirements per Chapter 19.28 of the City of Imperial Beach Municipal Code, titled "Neighborhood Commercial (C-3) Zone." A Conditional Use Permit is required for residential development above the first floor at a maximum density of one unit per every thousand square feet of lot area and interim parking pursuant to Section 19.28.020.A.3. The parking for the project will be provided in two on-site locations, off 13th Street for the retail commercial unit and off the alley for the employee parking and residential units. Site Plan approval by the City Council is required per Section 19.28.020.D. Design Review is required per Section 19.83.020.A.3.

DESIGN REVIEW FINDINGS:

12. The project is consistent with the City's Design Review Guidelines.

The design of the project is consistent with the City's Design Policy D-8 (Project Design) of the General Plan as per Design Review Compliance checklist attached hereto and findings contained herein.

NOW, THEREFORE, BE IT RESOLVED that an application for Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone, is hereby approved by the City Council of the City of Imperial Beach subject to the following:

CONDITIONS OF APPROVAL:

A. PLANNING:

1. The City is requiring new development to conform to the new state water quality/urban runoff requirements (SDRWQCB Order 2001-01). Plans for new development will now need to show drainage patterns to demonstrate how storm water will be directed to landscaped areas (bioswales) or to filters before it is discharged into the city's storm sewers or to the beach.
2. All catch basin subdrains shall be deepened to reach the area of percolation as identified in the soils report.
3. Filter fabric shall be applied around the 18" perforated pipe in the catch basin subdrain.
4. Owner must enter into and provide proof of post-construction (BMPs) maintenance agreement for all catch basin filters and subdrains.
5. Final drainage for the balconies shall comply with SUSMP requirements.
6. Owner shall record a mutual access and parking agreement in concert with the master plans of the adjacent parcels and subject to approval of the City.
7. The 30-inch retaining wall shall be made of a material coordinated in color with the building in either stucco or split face block.
8. The trash enclosure shall be made of the same/similar materials and designed in accordance with the trash enclosure for the mixed-use project at 1126 13th Street (MF 615).
9. Residential units (particularly those facing east) shall have soundproof windows such as double-pane windows.
10. Applicant must comply with building/structural changes identified and revised in plans for in the mixed-use project at 1126 13th Street (MF615), if applicable to this project. These changes must be reflected in the plans prior to submittal for building permits.
11. Ensure that the proposed monument sign is located out of the public right-of-way.
12. Replace the landscaping proposed in second story planter boxes to the rear yard (ground level) as shown in the revised plans submitted by the architect on July 08, 2004.
13. The building should be a darker tone with a lighter trim.
14. The lettering on the signs should have deeper tones such as dark blue, burgundy, and dark green and will be finalized by the applicant and staff at a later time.
15. The garbage enclosure will be shifted to the North so that it is adjacent to the garbage enclosure of 1126 13th Street.
16. Landscaping will be planted so that it provides sufficient protection to the monument sign.

17. Approval of Conditional Use Permit (CUP 03-03), Site Plan Review (SPR 03-09), and Design Review (DRC 03-10) for a mixed-use development consisting of retail commercial space on the first floor and four residential units above the first floor at 1146 13th Street, in the C-3 (Neighborhood Commercial) Zone is valid for one year from the date of final action to expire on March 2, 2006. The applicant or applicant's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return a signed statement accepting said conditions.
18. All negative balances in the project account (261-641) shall be paid prior to building permit issuance and final inspection.

B. BUILDING:

19. A soils report will be required at the time plans are submitted for building permit plan check (619-628-1357).

C. PUBLIC SAFETY:

20. Address must be clearly visible with 6" high numbers and with ¾" stroke on contrasting background.
21. 1-2A10BC extinguisher located on each entry deck of residential units clearly marked 22" x 36" attic access in each unit. Also on or near a door and at the bottom of the stairs. Smoke detectors are required in each sleeping room and in corridor leading to sleeping room. All smoke detectors shall be wired to building wiring.
22. Commercial retail – all units need to be clearly marked and visible from street and alley. 1-2A10BC extinguishers required in each unit and Knox box required near exit.
23. Residential and Commercial – Require all utilities, gas, electric and water to be individually marked per unit number. All address need to be clearly visible from street and alley.

PUBLIC WORKS:

24. Ensure that the hot water tank P.T. discharge pipes are piped to discharge to the sanitary sewer system or the landscape area. A design that has the water discharge directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01
25. Ensure that no building roof or landscape water drains are piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order 2001-01.
26. Construct the driveway approach(es) on 13th Street to comply with Regional Standard Drawing G-14A. Sidewalk cuts must coincide with the existing sidewalk five-foot sections. A sidewalk section cannot be cut into smaller sections. Likewise if the curb and gutter is to be cut in order to comply with Regional Standard Drawing G-14A, the reconstruction must not leave an existing curb and gutter section less than 9 feet in length. Note: The construction of an ADA compliant driveway approach will require a grant of easement to the City for this construction.

27. Replace 80 feet of broken curb and gutter adjacent to the project site.
28. For alley, sidewalk or curb and gutter replacement ensure compliance with San Diego Regional Standard Drawing G-11 in that, the "Area to be removed [must be] 5 feet or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5 feet. Where the distance from "Area to be removed" to existing joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge, or score mark.
29. Ensure constructed refuse storage enclosure is constructed in accordance with I.B.M.C. 19.74.090. Ensure trash enclosure is sized to include recycling containers as well as refuse containers.
30. Install survey monuments on northeast property line and southeast property line in or adjacent to the sidewalk. Record same with county office of records.
31. For any work to be performed in the street or alley, submit a traffic control plan for approval by Public Works Director a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or Caltrans Traffic Control Manual.
32. All street work construction requires a Class A contractor to perform the work. Street repairs must achieve 95% sub soil compaction. Asphalt repair must be a minimum of four (4) inches thick asphalt placed in the street trench. Asphalt shall be AR4000 ½ mix (hot).
33. If it is necessary to cut into the alley pavement as part of this project, all concrete cuts in the alley must be replaced with #4 rebar dowels positioned every 1 foot on center. Concrete specification must be 560-C-3250. Concrete cuts must also comply with Item No. 4 above and terminate at least 18 inches before or beyond the alley flow line.
34. In accordance with I.B.M.C. 12.32.120, applicant must place and maintain warning lights and barriers at each end of the work, and at no more than 50 feet apart along the side thereof from sunset of each day until sunrise of the following day, until the work is entirely completed. Barriers shall be placed and maintained not less than three feet high.
35. Recommend applicant agree to underground all utilities in accordance with I.B.M.C. 13.08.060.
36. Advise the property owner that he/she must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant must provide the following documents to the City of Imperial Beach following before project may begin work:
 - A checklist of selected BMPs and location of the BMPs on project plans for review by the City (JURMP Form 7-B and Table 7-3).
 - Certification of intent to maintain selected BMPs (JURMP Form 7-B).
 - A Storm Water Management Plan JURMP (Form 7-B).

37. Additionally, these BMP practices shall include but are not limited to: Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.
- All recyclable construction waste must be properly recycled and not disposed in the landfill.
 - Water used on site must be prevented from entering the storm drain conveyance system (i.e., streets, gutters, alley, storm drain ditches, storm drain pipes).
 - All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
 - Erosion control – All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system
38. Advise the property owner that as of January 1, 2000, any disposal/transportation of solid waste/construction waste in roll-off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.

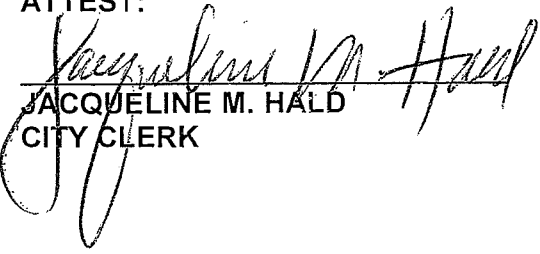
PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 2nd day of March 2005, by the following roll call vote:

AYES:	COUNCILMEMBERS:	MCCOY, WINTER, MCLEAN, JANNEY, ROSE
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE


DIANE ROSE, MAYOR

ATTEST:


JACQUELINE M. HALD
CITY CLERK

RECEIVED

PUBLIC HEARINGS (6.4)

- 6.4 FIVE-YEAR IMPLEMENTATION PLAN ADOPTION, ADOPTION OF
REDEVELOPMENT AGENCY RESOLUTION NO. R-05-65. (0640-80) MANAGER/PERSONAL
CITY CLERK OFFICES

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

WALTER FREEMAN, representing South Bay Union School District submitted a letter for the record a meeting between the City and Dr. Patrick Pettit, Superintendent.

MOTION BY ROSE, SECOND BY JANNEY, TO CONTINUE THE PUBLIC HEARING TO THE ADJOURNED REGULAR MEETING OF MARCH 14, 2005. MOTION CARRIED UNANIMOUSLY.

REPORTS (7.1)

- 7.1 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS BUDGET FOR
FISCAL YEARS 2004/2005 THROUGH 2008/2009. (0330-35)

MOTION BY ROSE, SECOND BY JANNEY, TO CONTINUE THE REPORT TO THE ADJOURNED REGULAR MEETING OF MARCH 14, 2005. MOTION CARRIED UNANIMOUSLY.

ORDINANCES - SECOND READING & ADOPTION (4.1 - 4.2)

- 4.1 AN ORDINANCE AMENDING ORDINANCE NO. 92-865 RELATING TO BUSINESS
FEE SCHEDULE. (0390-55)

Item was continued to the adjourned regular meeting of March 14, 2005 by prior Council action.

WRITTEN COMMUNICATIONS (5)

None.

PUBLIC HEARINGS (6.1 - 6.5)

- 6.1 FERAS "RUSTY" BARGHOUT (APPLICANT/PROPERTY OWNER)/NICK ALJABI
(ARCHITECT); CONDITIONAL USE PERMIT (CUP 03-03), DESIGN REVIEW
(DRC 03-10), SITE PLAN REVIEW (SPR 03-09) FOR A MIXED DEVELOPMENT WITH
THREE RETAIL COMMERCIAL SPACES AND FOUR RESIDENTIAL UNITS
LOCATED AT 1146 13th STREET, IN THE C-3 (NEIGHBORHOOD COMMERCIAL)
ZONE. MF 641. (0600-20)

MAYOR ROSE declared the public hearing open.

d. 1

5/20/09 Items. 1
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CITY MANAGER BROWN introduced the item.

ASSISTANT CITY PLANNER KANANI gave a PowerPoint presentation on the item; she reported that City Planner Nakagawa had drafted an agreement that would allow for the removal of a wall and also allow for the sharing of the parking lot with the adjacent property.

MAYOR PRO TEM JANNEY encouraged staff to monitor the signage for the property.

RUSTY BARGHOUT, applicant, responded to concerns of Council regarding the commercial and residential spaces.

ASSISTANT CITY PLANNER KANANI reported that the Design Review Board's recommendations were not included in the resolution.

CITY CLERK HALD announced no speaker slips were submitted.

MOTION BY ROSE, SECOND BY WINTER, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.

MOTION BY ROSE, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2005-6114, GRANTING CONDITIONAL APPROVAL OF CONDITIONAL USE PERMIT (CUP 03-03), DESIGN REVIEW (DRC 03-10) AND SITE PLAN REVIEW (SPR 03-09), WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS, AND STATING THE REQUIREMENTS WITH THE ADDED CONDITIONS OF THE DESIGN REVIEW BOARD. MOTION CARRIED UNANIMOUSLY.

6.2 1365 SEACOAST CONDOMINIUMS; TENTATIVE MAP (TM 04-147) AND COASTAL PERMIT (ACP 04-146) FOR THE PROPOSED CONVERSION OF 14 RESIDENTIAL UNITS TO CONDOMINIUM OWNERSHIP AT 1365 SEACOAST DR., IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. OWNER: TRACY MEHKI, SAND AND SEA CAPITAL, INC./APPLICANT MALCOLM DAVIES, SAND AND SEA CAPITAL, INC. MF 744. (0600-20)

COUNCILMEMBER MCLEAN stated he had a potential conflict of interest on the item as he owns property within 500 feet of the project, and he left Council Chambers at 9:50 p.m.

MAYOR ROSE declared the public open.

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY PLANNER KANANI gave a PowerPoint presentation on the item; she stated that the applicant has proposed one-hour firewalls between the laundry room and building.

TRACY MEHKI, applicant, stated she just learned about the firewalls requirement that will take effect with the new ordinance and she will install a hardwired smoke detector system.

MAYOR ROSE commended Ms. Mehki for installing the hardwired monitors although they are not required.

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